We are today faced with the necessity for formulating some sound methods for guiding the continued growth of our economy at a rate which will assure an adequate supply of goods and services at reasonable prices while at the same time preventing inflation. The accomplishment of this goal of economic stability depends upon the assistance of all segments of the economy—the lenders, the industrial producer, the farmer, the distributors, the small businesses and the large. The modernization of Federal credit union legislation can do much to assist in this endeavor, by facilitating the efficient operation of the individual credit unions. At the same time, an increased supply of loan funds would be made available for the provident and productive purposes of low and middle income families and individuals. The self-help quality of these institutions is a refreshing and welcome part of the economic and social scene.

During the 25 years of Federal credit unions, and the even longer period in which some of the State credit unions have operated, these financial institutions have performed a much-needed service. It is because of the real need for the services of these institutions that they have achieved such an enviable record of growth, both in membership and assets. Perhaps the most important factor accounting for this tremendous growth is the credit union's willingness to make loans to individuals for purposes which would not be acceptable to most other lenders—and at interest rates which are usually much lower than the interest charges required by commercial or mutual banks. In summary, these groups have fostered and encouraged thrift through regulated savings and prudent economic management of individual credit and financial resources. Such purposes must be served if we are to maintain a healthy economy which meets the needs of all levels of our population.

In view of the rapid changes which have been occurring in our economy, it is expedient that revisions be made in the structure of credit union operations, such as those contained in H.R. 5777. The losses suffered on unsecured loans made by credit unions have not been out of line with those of other financial institutions. Therefore, an increase in the unsecured loan maximum from $400 to $1,000 is warranted, and not unduly risky. Likewise, I believe that investment in shares of central credit unions does not carry with it any undue risk. Rather, it will provide additional dividend income and will make funds available where they are most in demand, following the natural economic course of resources flowing into areas where they can be the most productive.

Still another important proposal made by H.R. 5777 is the extension of loan maturities from 3 to 5 years. This lengthening of the period of time within which loans may be repaid is in keeping with extended periods for home mortgage repayments and other consumer installment purchases.

All of these provisions upon which I have touched, and others contained in the proposed legislation, will facilitate more adequate servicing of the credit needs of millions of individuals. We would be remiss in our duty if we did not furnish these credit cooperatives with all the assistance which can be made available through the revision of the Federal statute to bring its provisions in line with the changing times. There is no question with regard to the Federal expenditures for these cooperatives—they are self-supporting entities, under the general supervision of the likewise self-sustaining Bureau of the Federal Credit Unions. There is no question, either, with regard to the essentiality of the services rendered by these financial institutions. Approval of this proposed legislation will underscore our belief in the basic principles upon which our whole economic and social structure has been built—the perpetuation of the ideals of equality of man, freedom of opportunity and unselfish cooperation.

SENATE

TUESDAY, MAY 26, 1959

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

O Thou God of the living and of the living dead, in the cloud of witnesses looking down upon us as we struggle on in an embattled world, we see the faces of those who across the generations have built roads down which high causes have triumphantly advanced. And now, in that shining company of the valiant, Thy servant, and the Nation's, John Foster Dulles, takes his place forever, having toiled terribly and having stood inflexibly for God's truth against the devil's falsehood.

Grant to us the same grace so to dedicate our lives to the great cause of a better, holier world, that, by our sacrifice, our actions, and our obedience, we may build roads for the hopes and dreams of prophetic souls who have seen the city of God across the hills of time.

And when our part is played, and our work is done, and we have fought the good fight, and kept the faith, as did the warrior whose passing is mourned in this Chamber and by free men around the globe, may we go on to larger service, grateful for the ideas which have used us on their way to coronation.

We ask it in the Redeemer's name. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Friday, May 22, 1959, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

ATOMIC ENERGY AGREEMENTS—MESSAGES FROM THE PRESIDENT

Mr. JOHNSON of Texas. Mr. President, the President has transmitted to the Senate today two messages relating to atomic energy agreements with certain countries. The messages have been read in the House, and I ask unanimous consent that they be printed in the RECORD without being read, and referred to the Joint Committee on Atomic Energy.

The VICE PRESIDENT. Without objection, it is so ordered.

The messages from the President are as follows:

To the Congress of the United States:

Pursuant to the Atomic Energy Act of 1954, as amended, I am submitting herewith to each House of the Congress an authoritative copy of an Agreement Between the Government of the United States of America and the Government of Canada for Cooperation on the Uses of Atomic Energy for Mutual Defense Purposes. The agreement was signed in Washington on May 22, 1959, by the Acting Secretary of State on behalf of the Government of the United States and the Ambassador of Canada to the United States on behalf of the Government of Canada.

Proceeding from the authority contained in Public Law 85-479 approved by the President July 2, 1958, which amended the Atomic Energy Act of 1954, the agreement was negotiated for the purpose of advancing the extent of cooperation between the two countries in their common defense, particularly in the vital field of the military applications of atomic energy.

The agreement is predicated on the determination that the common defense and security of the United States and Canada will be advanced by the cooperation envisaged therein, and takes into account that our countries are participating together in an international defense arrangement. The exchanges of information and transfers of equipment provided for in the agreement will substantially contribute to the capability of the United States and Canada to meet their mutual defensive responsibilities already closely shared.

I am also transmitting a copy of the Acting Secretary of State's letter accompanying authoritative copies of the signed agreement, a copy of a joint letter from the Secretary of Defense and the Chairman of the Atomic Energy Commission recommending my approval of this agreement, and a copy of my memorandum in reply thereto setting forth my approval.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *May 26, 1959.*

(Enclosures: (1) Agreement Between the Government of the United States of America and the Government of Canada for Cooperation on the Uses of Atomic Energy for Mutual Defense Purposes; (2) copy of Secretary of State's letter accompanying copies of the signed agreement; (3) copy of a joint letter from the Chairman of the AEC and the Secretary of Defense recommending my approval of the agreement; (4) a copy of my memorandum in reply thereto setting forth my approval.)

To the Congress of the United States:

In December 1957 the heads of government of the nations members of the North Atlantic Treaty Organization reached agreement in principle on the desirability of achieving the most effective pattern of NATO military defensive strength, taking into account the most recent developments in weapons and techniques. In enunciating this agreement in principle the heads of government made it clear that this decision was the result of the fact that the Soviet leaders, while preventing a general disarmament agreement, had left no doubt that the most modern and destructive weapons of all kinds were being introduced into the Soviet armed forces.

The introduction of modern weapons into NATO forces should be no cause for concern on the part of other countries, since NATO is purely a defensive alliance.

It is our conviction and the conviction of our NATO allies that the introduction into NATO defenses of the most modern weapons available is essential in maintaining the strength necessary to the alliance. Any alliance depends in the last analysis upon the sense of shared mutual interests among its members, and by sharing with our allies certain training information we are demonstrating concretely our sense of partnership in NATO's defensive planning. Failure on our part to contribute to the improvement of the state of operational readiness of the forces of other members of NATO will only encourage the Soviet Union to believe that it can eventually succeed in its goal of destroying NATO's effectiveness.

To facilitate the necessary cooperation on our part legislation amending the Atomic Energy Act of 1954 was enacted during the last session of the Congress. Pursuant to that legislation agreements for cooperation have recently been concluded with three of our NATO partners; all of these agreements are designed to implement in important respects the agreed NATO program. These agreements will enable the United States to cooperate effectively in mutual defense planning with these nations and in the training of their respective NATO forces in order that, if an attack on NATO should occur, under the direction of the Supreme Allied Commander for Europe these forces could effectively use nuclear weapons in their defense.

These agreements represent only a portion of the work necessary for complete implementation of the decision taken by the North Atlantic Treaty Organization in December 1957. I anticipate the conclusion of similar agreements for cooperation with certain other NATO nations as the alliance's defensive planning continues.

Pursuant to the Atomic Energy Act of 1954, as amended, I am submitting to each House of the Congress an authoritative copy of three agreements, one with the Federal Republic of Germany, one with the Kingdom of the Netherlands and one with the Government of Turkey. I am also transmitting a copy of the Secretary of State's letter accompanying authoritative copies of the signed agreements, a copy of three joint letters from the Secretary of Defense and the Chairman of the Atomic Energy Commission recommending my approval of these documents, and copies of my memorandums in reply thereto setting forth my approval.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *May 26, 1959.*

EXECUTIVE MESSAGE REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate a message from the President of the United States submitting the nomination of Charles L. Powell, of Washington, to be U.S. district judge for the eastern district of Washington, which was referred to the Committee on the Judiciary.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, communicated to the Senate the intelligence of the death of Hon. John Foster Dulles, a former Senator from the State of New York, and a former Secretary of State, and transmitted the resolutions of the House thereon.

The message announced that the House had agreed to a concurrent resolution (H. Con. Res. 185) extending the felicitations and best wishes of the Congress of the United States to Miami University, Oxford, Ohio, in which it requested the concurrence of the Senate.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Antitrust and Monopoly Subcommittee of the Committee on the Judiciary was authorized to meet during the session of the Senate today.

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Veterans Subcommittee of the Committee on Labor and Public Welfare was authorized to meet during the session of the Senate today.

Mr. JOHNSON of Texas. Mr. President, the Subcommittee To Investigate Juvenile Delinquency, of the Committee on the Judiciary, is scheduling hearings in Chicago on May 28 and 29. It requests that the Senate grant authority for the subcommittee to hold hearings on those days during the sessions of the Senate.

The VICE PRESIDENT. Without objection, it is so ordered.

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. JOHNSON of Texas. Mr. President, under the rule, there will be the usual morning hour for the transaction of routine business; and I ask unanimous consent that statements in connection therewith be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

JOHN FOSTER DULLES

Mr. JOHNSON of Texas. Mr. President, it was with deep regret that we learned on Sunday morning of the passing of former Secretary of State John Foster Dulles. Secretary Dulles' death was a loss to this country. He was a dedicated public servant who fought for the principles in which he believed.

I have known Secretary Dulles for many years. I did not always agree with him. But I always believed that he was sincere and conscientious and did his duty as he saw it.

It is the proposal of the leadership to adjourn today until Thursday, as an expression of the Senate's profound regret and sorrow, and to permit Senators to attend the funeral tomorrow.

Mr. President, later in the day a resolution will be submitted by the distinguished minority leader; and the Senate will not be in session tomorrow.

I yield now, if the Senator from Illinois wishes to submit the resolution.

Mr. DIRKSEN. Mr. President, I shall submit the resolution directly; but I ask Senators to bear with me while I make a few observations about John Foster Dulles.

I suppose I shall never think of him again except in the framework of at least three impressive characteristics.

The first was his patience. We who are familiar with him and saw him appear before the committees of the Congress, and we who were so eager to ask him world-shaking questions, never ceased to marvel at his patience. I remember how he used to look at the ceiling and relax his facial muscles; and his answer was always studied and calm—knowing that it would be on the record, and might have world implications. But never did I see him become impatient.

I think of him often in terms of an experience which befell Phillips Brooks. When a visitor came to Phillips Brooks' study and found him irritated and impatient, he asked, "Dr. Brooks, what is the matter with you?"

The reply was, "I am in a hurry, but God is not."

Mr. President, there was a calm about John Foster Dulles which was God-like. It was a source of retreat and a source of strength, and I believe it was one of the great means of offense he had when he moved into the difficult conferences all over the world. So patience was one of his great characteristics.

The second was humility. He was inherently pious; and out of it came both the initial calm and the humility which I believe are so necessary to one in his station. His humility was also a source of retreat. The humble person never boasts of his achievements. I never saw the time when John Foster Dulles returned from a conference that he ever boasted of what he may have accomplished there. That was the essential nature of the man: He was humble; he was patient.

Finally, he was constant. If I tried to think of an appropriate term, I believe I would call him the constant warrior. He never took his eyes off the great, golden objective, which was to bring about in the world a condition in which mankind would live in amity, in harmony, and in concord.

So the three great virtues of John Foster Dulles were his patience, his humility, and his constancy. They marked the whole life of this dedicated, devoted, and pious man.

So, Mr. President, I submit a resolution for which I request immediate consideration.

The VICE PRESIDENT. The resolution will be read.

The resolution (S. Res. 124) was read, as follows:

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the death of Hon. John Foster Dulles, a former Senator from the State

of New York, and a former Secretary of State.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That, as a further mark of respect to the memory of the deceased, the Senate, at the conclusion of its business today, do adjourn.

The VICE PRESIDENT. The question is on agreeing to the resolution.

Mr. SALTONSTALL. Mr. President, I wish to support the resolution which has just been submitted by the minority leader.

Because of my utmost respect for the late Secretary of State, John Foster Dulles, and my friendship with him, I wish to add briefly to this record.

In my public life, I know of no public official who has been more dedicated to carrying out his duties than was the late Secretary of State. And those duties concerned the safety and the future not only of those who are alive today, but also of our children in the years ahead.

He worked tirelessly for a more peaceful world and greater security for each one of us. He performed his tasks with courage, with imagination, with intelligence, and with the great knowledge which came from his long experience. He did so regardless of whether he was praised or criticized. He always took the action which he believed to be right.

Mr. President, those characteristics of John Foster Dulles are what we need desperately in fulfilling our responsibilities in the free world today and in our negotiations with countries which operate under a system of government we deplore.

John Foster Dulles' monument will be the lasting memory in the mind of every American of the principles and purposes for which John Foster Dulles stood, of the extraordinary ability with which he advocated and advanced those principles and purposes.

My sympathy and that of my family go to Mrs. Dulles and her family.

Mr. MORTON. Mr. President, I rise to support the resolution.

Mr. President, our country and freemen everywhere have lost a great leader, John Foster Dulles. His was a dedicated Christian life—dedicated to a just and honorable peace on earth; dedicated to the hopes and aspirations of all freedom-loving people; dedicated in loving service to his country, his church, his family, and his fellow men.

No other leader in the free world so well understood the full significance of aggressive atheistic communism. No man was better equipped in spirit or in mind to meet this threat.

I shall always treasure my term of service in the Department of State under his inspiring leadership. In our intimate relationship, I came to love him as an older brother.

My prayers and sympathies are with his family in this trying hour.

Mr. BEALL. Mr. President, I wish to join in support of the resolution.

I also ask unanimous consent to have printed in the RECORD an editorial on the late John Foster Dulles which appeared in the May 25, 1959, issue of the Baltimore Sun.

The sad passing on of this great man prompted comments of high praise for the former Secretary of State from all over the free world. The editorial in the Baltimore Sun reflects my own thoughts about Mr. Dulles' great contribution to humanity.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

JOHN FOSTER DULLES

John Foster Dulles whose death we mourn, was not a man of whom it can be truly said that he died a martyr to his work. His was the rare good fortune to be able to spend the years of his maturity doing just what he had always wanted to do, and doing it superbly well. He had labored all his life in preparation, and when the opportunity came he labored all the harder. The point to be emphasized, now that he is gone, and to some extent concealed during his lifetime by his appearance and manner, is that this was a joyful labor. It was a labor of fulfillment such as becomes possible only when the accident of history brings forth the right man for the moment. Mr. Dulles, as architect and executant of our foreign policy, has always been controversial, and the controversy will be resumed. But in this pause occasioned by his death, no great insight is needed to realize that Mr. Dulles was the great man of these years, not just in this country but in the world.

Nor can one honestly express regret that Mr. Dulles was unable to finish his task. For his particular task is one that will never be finished—never, at any rate so long as the two dominant themes of our times—communism and nationalism—retain their present meanings. And we may be sure that there was no one more aware of this than Dulles himself. He maintained his exacting schedule up to the moment when his physical strength—but not his mind—had given out. But he did not do so in any hope or expectation that his task might be "finished"; he did so because the execution of this continuing task had become his very life.

Cutting through the specifics of this career, what is it that Mr. Dulles did, what gives him a place in history, what is his legacy?

What he did was to hold together and strengthen and enlarge in every possible way the non-Communist alliance, an alliance both spiritual and military but inherently unstable precisely because its main elements are free people. And this he did, not just by his extraordinary skill and persuasiveness in negotiations, but by providing and, in a sense, personifying an idea.

The idea was a simple one, and one which in his case was rooted in religious faith. It was this: That the principles behind communism are profoundly wrong and must ultimately collapse—but only if opposed with unyielding resolution. He did not work for peace today, peace in his time. He knew, indeed, that overeagerness for the forms of peace at any given time is the most dangerous trap of all—leading as it must to wavering, irresolution, uncertainty, and a confusion of appearance with substance. In that sense Mr. Dulles was guilty of rigidity and was, indeed, the most rigid of men. And at times, no doubt, he was led by just such apprehensions into an inflexibility of tactics that was mistaken. But not often.

In assessing the Dulles legacy we must keep in mind always the distinction between inflexibility of tactics, which is wrong, and inflexibility of underlying principle, which is indispensable. In the tactics of diplomacy, the Dulles way may well have run its course. The world may, indeed, have reached a point when fresh approaches, made by new minds, are both desirable and unavoidable. What Mr. Dulles gave us was a certainty of conviction that must be cherished, in spite of this, and that will be weakened and eroded at our peril. That is his legacy.

Mr. CURTIS. Mr. President, may the record also show that I join in support of the resolution of condolence and sympathy to the members of the Dulles family.

Secretary Dulles was a man of stirring Christian character. He was a renowned statesman, a surprisingly fine diplomat, a man who was kind, yet who could be firm when principle was involved.

Our Nation and the free world have lost a truly great man.

Mr. MUNDT. Mr. President, I join in support of the resolution submitted by the distinguished Senator from Illinois.

Secretary Dulles was a mighty oak in today's forest of international diplomacy, and of him it can indeed be said that his passing leaves a vacant space against the sky.

In my opinion, Mr. President, John Foster Dulles was the greatest figure in the field of hammering peace out of controversy America has produced. He cruelly sacrificed his own health and his own vitality so that others could live in a world free from the scourge of war.

I suspect history will show that John Foster Dulles as Secretary of State traveled more miles, visited more countries, and conferred with more foreign leaders in their own areas of activity than did all the other American Secretaries of State combined who preceded him.

Mr. President, John Foster Dulles' mission was a prodigious one. By night and by day he flew through the air, visiting foreign countries, particularly troubled areas of the world, consulting with leaders abroad, always in the interest of international peace.

It seems to me the great genius Mr. Dulles brought to the office of Secretary of State was his capacity to negotiate; and the fact that he had firmed up his knowledge of international affairs by his almost ceaseless travels made him a negotiator of tremendous ability. In bilateral or in multilateral conferences, his became the responsibility of representing America in its great desire for peace. The fact that the world had this sustained period of his service in that office is its long-lasting tribute to the genius of John Foster Dulles as Secretary of State.

Mrs. Mundt joins me in extending our sympathies to the family of Mr. Dulles, and in mourning the passing of a great American.

Mr. PROUTY. Mr. President, I rise to support the resolution.

Already many words have been used to describe the impact on his time of John Foster Dulles. History, taking the long view, will have more to say. From the limited perspective of our day, it is difficult to speak of him and his influence and say something which has not already been said. Yet, for those who knew him personally, the temptation is irresistible to add another voice to the chorus.

As a member of the House Committee on Foreign Affairs, it was my duty for 6 years to pay special attention to the works of Secretary Dulles, and it was my privilege to come to know him personally. While I did not always find myself in complete agreement with everything he did and said, never did an occasion arise to cause me to question his integrity, his wholehearted desire for peace, and, above all, his indomitable will to advance the welfare of his country.

On May 11 I addressed some remarks to a joint session of the legislature of my State. On that occasion I said in part:

> Mr. Dulles' personal tragedy touches the heart of every one of us. He is a great patriot who has given his country the last full measure of devotion. No soldier on the line of battle could contribute more.

John Foster Dulles dedicated his life to freedom's struggle against tyranny. No monument of steel or stone can pay him greater tribute than the renewed dedication of his fellow Americans to the winning of that continuing struggle. His methods and tactics will doubtless be changed as conditions change, but the ideals for which he fought so relentlessly and the purposes for which he gave his mortal life—these will be preserved in the hearts of his countrymen and in the hearts of men who love freedom everywhere.

Mr. KEATING. Mr. President, let us remember that Mr. Dulles was, all too briefly, a Member of this body.

On July 7, 1949, my predecessor, Irving Ives, rose on this floor to announce that the Governor of New York had just appointed John Foster Dulles a Senator from New York to fill the vacancy occasioned by the resignation, due to ill health, of Senator Robert F. Wagner. Whereupon the late Senator Vandenberg, of Michigan, took the floor to epitomize Mr. Dulles in these eloquent words:

> His long association in the active leadership of the spiritual forces of this Nation is the key to his character.

Senator Vandenberg said further of the newly appointed Senator Dulles:

> His long association with public affairs in intimate work for collective security and world peace is the key to his public attitudes. We are to associate, Mr. President, with a great mind, a great heart, and a great experience, and I, for one, am happy to embrace this immediate opportunity to express my deep gratitude that the Senate is to enjoy the advantage of the membership of this distinguished American.

Mr. President, we can add but little here today to all that has been said and written of John Foster Dulles. Nor can we with words add significantly to his stature, for his deeds have long since made him one of the towering figures of the 20th century. We can but express the sorrow that is in our hearts at the removal from the American scene of the noble landmark, the great American, and the splendid human being, who was our Secretary of State.

In these sad days of mourning, it is appropriate to recall the principles to which Foster Dulles devoted his life—and, indeed, gave his life.

In times when people tend to be carried away with the sound of words like "flexibility" and "new aproach," a rededication of the American people to Dulles' principles would be a most fitting tribute to this man, this exceptionally capable public servant, who cared more to be right than to be popular.

John Foster Dulles knew that the most important question of our time is whether the free Western nations can stand up for a long period of years to the relentless and implacable assaults of the Communist foe—a foe whose idea of negotiations is to couple completely unreasonable demands with the ugliest and crudest of threats.

Secretary Dulles realized that the surest way to prove to the Soviets that their aggressive policies work is to yield, in the name of "flexibility," or "new approach," a piece of the free world here, a right of a free people there, upon each new outburst of demands and threats.

Appeasement is an old and tragic story in the history of free nations. While Mr. Dulles was always ready for fruitful negotiations in good faith, may it be said, to his everlasting credit; that John Foster Dulles was the solid rock upon which the waves of Communist aggression dashed violently—and then subsided—over and over again, through the significant period of American history in which we have recently lived.

Secretary Dulles' long and extraordinarily distinguished service to this Nation was based solidly upon morality and faith in God. Only a man so based and so oriented could have so magnificently withstood the clamors, the fears, the enticements of expediency and the criticism of the ill-informed which daily formed obstacles as he pursued his goal.

And in his lifetime, at least, he attained his goal. For he saved the peace.

The years ahead will tell us how enduring a monument to Foster Dulles that peace will prove to be. We cannot know this today. This much we do know:

That John Foster Dulles has shown us the road to just and lasting peace, and has taken us along that road some distance. If we prove worthy of his memory, we may stay upon that road. God grant that we shall.

Mr. BRIDGES. Mr. President, I wish to associate myself with the remarks made by my distinguished colleagues in this body paying tribute to the late John Foster Dulles. I have known John Foster Dulles for some 20 years. I was associated with him in the Senate of the United States. I maintained a close personal relationship with him over the years.

Many years ago I came to admire John Foster Dulles, but, during recent years with my admiration there has developed a profound respect for the man and for the magnificent work he has done. He has rendered a service to our country and to the free world which few other men in our history have rendered.

I join with my distinguished colleagues in paying this tribute to a great man, one who will be sorely missed in the days that lie ahead.

Mr. WILEY. Mr. President, I, too, join with other Senators who have spoken on this occasion of the passing of John Foster Dulles. I learned to know him when he was working under former Secretary Acheson. I was then a member of the Committee on Foreign Relations, and I later became chairman of the committee, which brought me into closer association with him. I have visited with him in his home. I have been with him on other occasions.

Mr. President, today the world mourns the passing of one of the greatest, most dedicated Secretaries of State, one of the ablest servants of the American people, and one of the foremost protagonists of the cause of peace, who has ever appeared on the American scene.

Rarely in history has a man come to public office so well equipped, so dedicated, so willing to give of himself, his time, his energy, and his life.

With a global outlook—firmly founded upon an intimate knowledge of the world's weightiest problems—Foster served as a major architect of our free world anti-Communist policy.

During these years, the Communists were blocked again and again in their efforts to gain control of more land and people.

Around the world, Foster's courage and determination in support of realistic policies he felt would best serve U.S. interests and world peace inspired the respect of his friends—and even of those who differed with him.

The world will continue to reap benefits from his service on into the future.

The Holy Scripture reads: "Greater love hath no man than this, that a man lay down his life for his friends." Foster displayed that kind of love—giving his whole life to the service of his country and to mankind. During these days, the outpouring of tributes from leaders in lands around the earth indicate homage to the courage, integrity, high morality, dedication, and unceasing devotion to the cause of peace and protection of human liberties with which he served our Nation and humanity.

With deep sorrow for the passing of a venerated friend and loyal servant, the free world can be humbly grateful for having benefited from his long and fruitful lifetime of dedicated service.

Mr. President, there was published in last night's Evening Star an article written by David Lawrence which I think merits reading and rereading, since it is a story about John Foster Dulles.

Also in the Evening Star of May 25, 1959, there was published an editorial entitled "John Foster Dulles."

I ask unanimous consent that the article and editorial be printed in the RECORD.

There being no objection, the article and editorial were ordered to be printed in the RECORD, as follows:

[From the Washington Evening Star, May 25, 1959]

EUROPE HEAPS PRAISE ON DULLES—STRIKING CONTRAST IN APPRAISAL NOTED SINCE CANCER REMOVED HIM FROM SCENE

(By David Lawrence)

GENEVA.—The air waves of Europe have been filled with tributes to John Foster Dulles. Words of praise were broadcast by

the radio stations everywhere yesterday as the sad news of the death of the former Secretary of State became known.

The contrast between what is being said now and what was said a year or so ago is striking. Somehow the free world came to appreciate Mr. Dulles only when it was apparent that, being stricken with a fatal cancer, he would be lost to the councils of the Western governments.

Listening to the eloquent eulogy by Selwyn Lloyd, the British Foreign Minister, as it came over the British Broadcasting Co. yesterday afternoon, this correspondent felt that no more fitting appraisal could have been uttered in government circles anywhere. For, as Mr. Lloyd put it, there was no "inflexibility" about Mr. Dulles except on matters of principle, and he had the courage to stick to moral principle even in the face of the bitterest criticism.

The position of John Foster Dulles in history is in a sense being fixed earlier than might otherwise have been the case. For he was suddenly removed from the scenes of his greatest labors at a time of crisis. His statesmanship began to be appraised in the highest terms when it was realized that he would no longer be available to guide the free world.

Mistakes there were in Mr. Dulles' handling of some of the multifarious problems that came to him for solution, but he was the first to admit and to correct them. He was not rigid in a negotiation. Indeed, he was resourceful and never felt that the door should be slammed when there was a possibility of agreement.

He had a faith that the West could win the long battle with the Communists only by sticking to principle and refusing to compromise on fundamentals. His critics thought he was unrealistic and that he should accept the Soviet position as one not likely ever to change.

Dulles realized that Americans often were too impatient and sometimes were ready to appease on the false theory that this would be of benefit in the end and bring peace. He felt just the opposite—that appeasement or surrender at the time would mean dangerous complications later on and that maybe we would not have been plunged into two World Wars if firmness, instead of vacillating diplomacy, had been manifested early enough by the Western allies.

Mr. Dulles frequently was represented as a believer in a one-man department because he handled so many problems personally. But he did develop a fine staff, and his legacy is the great team in the Department of State today.

The picture of Mr. Dulles that unfriendly critics painted was that of a man who unduly influenced President Eisenhower. This was not true. Mr. Dulles always functioned as an adviser—as a lawyer to his client—pointing out the different courses of action and leaving it to the President to make the decision.

It was this quality of deference rather than any kind of domination which endeared Mr. Dulles to the President. In fact, Mr. Eisenhower's respect and admiration for Mr. Dulles constantly grew, and a deep affection developed between the two men. When Mr. Eisenhower learned that there was no hope of a recovery and that Mr. Dulles had himself recognized the facts and submitted his resignation, the grief of the President was noticeable. The hesitation in announcing the immediate appointment of a successor was due in large part to the feeling that no news should for a day or 2 at least be permitted to overshadow the story of the departing statesman from the Government he had served so long and so faithfully.

Mr. Eisenhower had tears in his eyes when, at the press conference in Augusta, he announced Dulles' resignation. To Press Secretary Hagerty, who rode away from the scene with him, the President said: "It's like losing a brother."

Somehow, since a termination of service was inevitable some future day, it is a splendid thing that John Foster Dulles, lying on his hospital bed these last few weeks, lived to see his principles vindicated in the worldwide acclaim given him.

Mr. Dulles' ambition from early days was to serve in the State Department where his grandfather, John W. Foster, had been Secretary of State in the Republican administration of President Benjamin Harrison, and where his uncle, Robert Lansing, had served as Secretary of State to President Woodrow Wilson, Democrat.

The life of Mr. Dulles was enveloped in diplomacy and foreign relations from the time he graduated from Princeton University in 1908. Just a year ago, at the 50th reunion of his class, Mr. Dulles spoke at length in an off-the-record address which moved even some of the critics of his policies. At the time they described it as an expression of deepest sincerity and the highest devotion to principle.

John Foster Dulles is gone. A great statesman—perhaps one of the greatest in modern times—has departed. While the free world today appreciates what he did, it is important now that his principles and the doctrines he preached shall not be forsaken by his own Government or by the governments of the free world for the preservation of whose liberties and freedoms he gave unstintingly and unselfishly all his ability, his strength, and his energy.

[From the Washington Evening Star, May 25, 1959]

JOHN FOSTER DULLES

He did not live to see the attainment of that goal to the pursuit of which he gave so unreservedly of his time and energies—the goal of "a just and durable peace." During his last illness, however, John Foster Dulles had what must have been the satisfaction of knowing that a host of critics had come to a better understanding of his aims, methods, and towering contributions to the cause in which he served.

It is not easy, in retrospect, to understand the motives behind the merciless and often vicious criticisms which were piled upon Mr. Dulles, and which made more difficult a seemingly impossible assignment. For, if he was not a man to win friends easily, the nature of his undertaking and his high-minded, unselfish, and skillful devotion to the cause of peace should at least have commanded respect and support. Outwardly, he ignored the savage and generally unjust attacks by those who had neither a better program nor the slightest responsibility for consequences. Being human, however, he felt the sting of these slings and arrows, and he was appreciative of such support and encouragement as he received.

Mr. Dulles, in a sense, was a complex personality. Gifted with a high order of intelligence, he was not to be easily turned aside from a course which, in his deliberate way, he had decided was both just and efficacious. It is not true, however, that he was given to dogmatic judgments and unyielding attitudes. His was a questioning mind, a mind which was constantly reappraising his own assumptions and reexamining alternatives. If a change in tactics seemed desirable, he was always receptive to the arguments, pro and con. His inflexibility, of which so much has been heard, was discoverable in his fundamental philosophy, not in methods or procedures.

A lifetime spent in diplomacy and the law had left Mr. Dulles deeply convinced that any worthwhile search for peace must be conducted within a framework of dedication to basic moral values. He believed that we must conserve our own vital interests while respecting those of other nations. And he was confident that these principles could best be preserved by a resolute and stated willingness to fight for them, if need be. In his devotion to these fundamentals, he was indeed inflexible. In the tactical details, however, he was adaptable and flexible, and the best evidence of this will be found in the number of critics whom he was able to convert into supporters and even admirers.

Mr. Dulles' place in history must be left to the historians. All that his contemporaries can say is that no man ever served as Secretary of State under conditions more difficult or more fraught with the potentials of disaster for our civilization. To the best of his great ability, he discharged his responsibilities with steadfast courage, devotion, competence and integrity. What more could have been asked?

Death came to Mr. Dulles at a time when pressures may prove to be beyond the control of men seem to be forcing a decision for war or peace. Before this year is out the decisive turn, one way or the other, may have been taken. We want to believe, and we think there is some reason to believe, that the foreign ministers and the heads of state, knowing the appalling consequences of armed conflict, will take a first small step toward peace with justice. If this should come about, it will be the finest possible monument to the memory and the works of John Foster Dulles.

Mr. JAVITS. Mr. President, I wish to join with my colleagues in the tributes paid today to John Foster Dulles, whose seat I hold in the Senate. He was succeeded by Senator Lehman, of New York, and I succeeded Senator Lehman.

I have also had a longstanding association with Secretary Dulles, encompassing all the time I have been admitted to the bar, which is now some 32 years. He was for most of that time the head of the distinguished law firm of Sullivan and Cromwell, of New York, with whom my firm had a good deal of business. I knew him as a lawyer first and foremost, as a Senator and a political colleague, and as Secretary of State.

Mr. President, a number of things have been taught us by the life of this outstanding and distinguished American. One is that it is possible for heroes to die in bed. The whole world, I think, realizes that former Secretary Dulles literally laid down his life in the cause of freedom. Perhaps his passing is the most signal demonstration of how a human being can literally wear himself out in a great cause.

Second, I do not think any man of our time more thoroughly indoctrinated the American people with the profundity and grimness of the struggle with communism and the depth of value and resources called for in us in order to cope with it. Also, I do not think any man of our time, notwithstanding all dissension about his conduct of affairs, had a deeper confidence in the fact that we could prevail—and had an excellent chance to prevail by peaceful means—if we did the right things.

These elements of his character afford tremendous lessons for the world. As the days go on and as we forget about the dissensions, which already begin to appear to be minor, the lesson of John Foster Dulles as a great world leader and great Secretary of State will be borne in very deeply upon the American people and upon the people of the world. His

heroism in life, as in death, will be an object lesson for all the world to follow.

I consider it an honor to join with so many of my colleagues today so that the permanent RECORD of the Senate will show, for Secretary Dulles' family, whom I also know—for his wife, his children, his sister, his brother, and his many other kin—what we all thought about him in a moment of solemnity such as this.

Mr. CARLSON. Mr. President, I wish to join my colleagues in expressing regret at the passing of John Foster Dulles. A great statesman has gone to his reward. John Foster Dulles lived a full and rewarding life because he had a firm and boundless faith in his God.

Those who had the privilege of knowing Mr. Dulles could not help feeling and understanding the deep conviction that his life was guided by a divine being. He never lacked the faith.

I believe that when history is written he will be judged not only for the policies which he pursued inflexibly, but will be judged as one of God's noblemen.

His character and stability stood out as a pillar of strength and virtue, not only in our Nation, but also among the nations of the world.

Mr. Dulles has left an indelible mark in the history of our Nation and has laid down the guidelines for years to come.

I express my sympathy to Mrs. Dulles and members of the family.

Mr. FULBRIGHT. Mr. President, I also wish to express my personal regret to the family of John Foster Dulles, and I desire to present to the Senate a resolution which was adopted unanimously by the Committee on Foreign Relations, and which I was instructed to read to the Senate and to send to the family of John Foster Dulles. The resolution reads as follows:

RESOLUTION BY U.S. SENATE COMMITTEE ON FOREIGN RELATIONS, MAY 26, 1959

Whereas John Foster Dulles served as Secretary of State from 1953 to 1959; and

Whereas John Foster Dulles served as a U.S. Senator in 1949 and assisted the Committee on Foreign Relations in its consideration of the Mutual Defense Assistance Act of 1951; and

Whereas John Foster Dulles served the Government of the United States in numerous other positions, notably as delegate to the United Nations Conference on International Organization at San Francisco in 1945, as adviser to the Council of Foreign Ministers in 1946, 1947, and 1949, and as representative of the United States to the United Nations General Assembly in 1946, 1947, 1948, and 1950; and

Whereas John Foster Dulles as consultant to the Secretary of State negotiated the peace treaty with Japan and the mutual defense treaties with Japan, the Philippines, and Australia and New Zealand; and

Whereas John Foster Dulles always devoted his full energy and ability to the service of his Nation; and

Whereas, the Nation, the Senate, and the Committee on Foreign Relations will deeply miss the counsel of John Foster Dulles; and

Whereas John Foster Dulles dedicated his life to the service of humanity and the goal of peace: Now, therefore, be it

Resolved, That the Committee on Foreign Relations expresses its deepest sympathy to the family of John Foster Dulles and its sincere appreciation for his lifetime of devotion to the welfare and security of the United States and the free world.

Mr. CAPEHART. Mr. President, just a few days less than 4 years ago it was my great privilege to participate with our revered Secretary of State, the Honorable John Foster Dulles, in a brief memorial ceremony at the graves of his ancestors in southern Indiana.

There, in a simply marked cemetery, lay the remains of his great-great-grandparents, George and Jane Foster. It was there, Mr. President, on June 12, 1955, that I stood by him as he revered the memory of his forebears and said:

It is from such places as this that the great men and women have come to lead our Nation.

It has always seemed to me, Mr. President, that this offhand, almost unrecorded comment, bespoke the true simplicity, and in that simplicity, the true greatness of John Foster Dulles.

That simple little ceremony, Mr. President, occurred near the small town of Otwell, Ind., in Pike County. Specifically, the ceremony occurred in the cemetery on a spot which somebody called many, many years ago Delectable Hill. The graves of Mr. Dulles' great-great-grandparents are there preserved in a guarded area.

John Foster Dulles' grandfather, John W. Foster, was a native of Evansville, Ind. He, too, served as Secretary of State under another Hoosier, President Benjamin Harrison.

Mr. Dulles came to Indiana in 1905 at the age of 17 with his grandfather when Mr. Foster was awarded an honorary doctor's degree by Indiana University from which he had graduated 50 years before.

Thus, it was just 100 years after his grandfather's graduation that John Foster Dulles returned to Indiana University where, on June 12, 1955, he, too received an honorary doctorate.

Mr. President, I shall always remember the address which John Foster Dulles delivered at Indiana University on that occasion; therefore I ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

PATRIOTISM

(Address by the Honorable John Foster Dulles, Secretary of State, at the baccalaureate ceremony of the University of Indiana, Bloomington, Ind., June 12, 1955)

It is indeed a great privilege for me to be here and to have the opportunity of talking with you on an occasion which for me is full of sentiment. It was just 100 years ago that my grandfather, John W. Foster, was graduated from this university. It was just 50 years ago that he received from this university the honorary degree which, I understand, the university plans to confer upon me tomorrow. My grandfather, whose name I bear, exerted a great influence over my life and he had ideals and purposes which I have tried to make my own.

He was a deeply patriotic American. He belonged to the period which saw this country rapidly developing from a small Atlantic coast group into a Nation that spread across the continent. He fought to preserve the Union; and then on diplomatic missions and as Secretary of State he helped to spread the influence of this Nation throughout the world both in Europe and in Asia.

He deeply revered his forebears, who had been pioneers in settling this part of our Nation. He wrote a private booklet inscribed "Don't Let the Little Ones Forget," in which he told for his descendants the story of his own forebears, his grandfather, my great-great-grandfather, on whose grave I laid a wreath today, and his father.

To me that story has symbolized the spirit of our Nation. I vividly recall being told of how my great-grandfather, as a young boy of 17, had struck out into the West to get away from what seemed to him the overpopulated East. After a foot voyage of exploration, he had fixed upon a forest tract in southern Indiana, as a future homestead. He then brought his aged parents—his father was then 79 years old—from the East to settle here and gained a livelihood by hunting and by cutting hickory for hogshead hoops and floating them on a raft down the Ohio and Mississippi Rivers to New Orleans, where hogsheads were needed for molasses. Then he would walk back through the 1,200 miles of dangerous trails from New Orleans to his log-cabin home here in Indiana. Finally, he became a farmer, a merchant, and then a judge, in the growing community he had helped to create.

That spirit of enterprise, that vision, that industry, and that rugged independence have been characteristic of our Nation. There are indeed few Americans who cannot find in their family history similar stories of those who risked much and endured much to bring a dream into reality. It is those qualities which within the short span of 150 years have brought our people from national infancy into forming the greatest Nation on earth.

In some quarters there has developed a tendency to scorn patriotism. Indeed, there are a few who find patriotism unfashionable and who go so far as to assume that institutions and ideas are better if only they bear a foreign label. Also, there is a theory that this mood is necessary if we are to develop international institutions and maintain international peace.

It seems to me that love of country is one of the great and indispensable virtues. No community is weaker because the members of the families which make it up—the mother, the father, the sons, the daughters, the brothers, and sisters—are bound together by distinctive ties of love, respect, and admiration. So I am convinced that the family of nations will not be the poorer or the more fragile because the peoples who form the different nations have a special affection and pride for their own people and for the nation they form.

I recall that St. Paul took great pride, which he did not attempt to conceal, in the achievements of his own people. To me, one of the most inspiring chapters in the Bible is the 11th chapter of Hebrews where St. Paul recalls, in epic words, the great deeds which had been wrought through faith by national heroes—men and women.

Recently I was asked to open an exhibit of the oldest known print of the Bible, in the Aramaic language, and in that connection to select one of my favorite verses. I selected that portion of the epistle to the Hebrews where St. Paul, after the historical recital to which I allude, concludes by saying, "Seeing that we are compassed about by so great a cloud of witnesses, let us run with endurance the race that is set before us."

If it was appropriate for St. Paul to entertain those sentiments, I think it is equally appropriate for us. We, too, of our Nation can look back with pride to the great figures which our Nation has produced, who through faith wrought much.

Surely, we, too, can feel that we are compassed about by a great cloud of witnesses

who are observing our conduct and who by their spirit seek to inspire us to carry forward the great national and international tasks to which they dedicated their lives and to which they committed our Nation by their strivings and by their faith.

Our national course has to a unique degree been shaped by religious beliefs. Our people have in the main been God-fearing people. They believed in moral principles derived from a source above us. They were dedicated to human liberty because they believed that men had been endowed by their Creator with inalienable rights. So, they provided that those rights must at all times be respected, assuring the sovereignty of the individual against the dictatorship of the state. They were confident that the human liberty they thus assured would not be exercised recklessly and in disregard of fellow men because they were confident that our citizens would obey the moral law which prescribes the Ten Commandments of the Old Testament and the two great commandments of the New Testament, "Thou shalt love thy neighbor as thyself" and "Whatsoever ye would that men would do to you, do you even so to them."

As George Washington pointed out in his Farewell Address, religion and morality are the two indispensable supports of a free society. "In vain," he said, "would that man claim the tribute of patriotism, who should labor to subvert these great pillars of human happiness, these firmest props of the duties of men and citizens." Indeed, a society which is not religious cannot tolerate much freedom. It is dangerous to give freedom to those who do not feel under moral compulsion to exercise self-control and who are unwilling to make sacrifices for the good of others.

It results that true patriotism, which vitalizes liberty and freedom for ourselves, can never be a purely selfish force. That has been ever evident so far as our Nation was concerned. Our people have always been endowed with a sense of mission in the world. They have believed that it was their duty to help men everywhere to get the opportunity to be and to do what God designed. They saw a great prospect and were filled with a great purpose. As said in the opening paragraph of the Federalist Papers, "It seems to have been reserved to the people of this country, by their conduct and example, to decide whether societies of men are capable of establishing good government." "Failure on their part," it continues, would be "the general misfortune of mankind."

Under the impulsion of that faith, there developed here an area of spiritual, intellectual, and economic vigor, the like of which the world had never seen. It was no exclusive preserve; indeed, sharing was the central theme. Millions were welcomed here from other lands, all to share equally the opportunities of the founders and their heirs. Through missionary activities and the establishment of schools and colleges abroad, American ideals were carried throughout the world. Our Government gave aid and comfort to those elsewhere who sought to increase human freedom.

These have been the characteristics of our Nation since its foundation and those characteristics have persisted. They today make our Nation the leader in the struggle to maintain liberty in the world. I believe we can say that in these times, when despotism menaces as never before, our Nation is playing a part worthy of our forebears and is imbued with the spirit of those who founded our Republic. We have availed of every opportunity, whether it be through the United Nations or through mutual security associations with other free nations, to make our influence felt in support of freedom. We have, as a matter of enlightened self-interest, contributed largely out of our vast productivity to others who, if left alone, could not sustain the freedom and independence for which they yearn.

All of that is in the American tradition. We can be happy that that tradition thrives and is vigorous and we can take pride in the fact that, inspired by our founders who saw a great vision, we are indeed with steadfastness pursuing the course upon which they embarked us.

There come times in the life of peoples when their work of creation ends. It is easy to diagnose the symptoms of that national decadence. It is seen when a people lose their sense of mission in the world, when they think only of themselves, when they forget the Biblical injunction that, although we have different offices, we are all members one of another and that those who are strong ought to bear the infirmities of the weak. No one, be he individual or nation, is truly great who does not have the will and the capacity to help others or who is without a sense of mission.

We can take pride in our Nation because since the day of its creation, and with but few lapses, its purposes have been large and its goals have been humane. We can rejoice that that spirit animates our Nation today, and makes us still young, still vital and still capable of great endeavor. Our youth, such as you who now enter into the larger world, are spirited, not selfish nor fearful. Our religious heritage and our national traditions are not forgotten. As we are faithful to their guidance, we can have the satisfaction which comes to those who, in fellowship, are embarked on the great adventure of building peacefully a Nation and a world of human liberty and justice.

Mr. CAPEHART. Mr. President, in that address Mr. Dulles spoke great words of wisdom, as he always did. I commend that address to the reading of all Senators because it not only recounts in some detail the Indiana background of his forebears but it is a scholarly discussion of the relationship between Christianity and the American way of life as exemplified by the principles guiding the life of a great statesman.

To have known John Foster Dulles as a Member of the U.S. Senate, as Secretary of State, as a confidante in matters of foreign relations, and as a true friend is a memory which I shall forever treasure.

Thus, Mr. President, with all solemnity I speak for the people of Indiana and, more particularly, for my neighbors in Pike County, Ind., my own birthplace, in paying tribute to a Christian gentleman, a great patriot, a great diplomat, and one of the outstanding statesmen of our time, John Foster Dulles.

Mr. ELLENDER. Mr. President, the world has lost a great statesman in the death of John Foster Dulles.

He was a devoted public servant of the highest order. He served his country in many ways—in the U.S. Senate, where, in 1949 he represented the State of New York; as foreign affairs adviser to two Democratic Presidents; and, finally, in his last post, as Secretary of State.

Although I did not agree with him on many issues affecting our foreign policy, I never once doubted his sincerity of purpose.

John Foster Dulles loved America, and served her with great distinction. Even after death, that service will continue, for he left his countrymen a rich heritage of dedicated service.

Mr. HENNINGS. Mr. President, the Nation's head is bowed; the Nation's heart is heavy.

Over the land men are eulogizing the life, the deeds, the devotion of John Foster Dulles. These tributes are eminently deserved.

There is no need to speak at length on the death of this great American—this great patriot. His work, his life, speak more eloquently than anyone could possibly speak. His goal was the goal of all freedom-loving peoples. His sincerity of purpose and his devotion to duty were inspiring and selfless. His capacity and high order of ability were recognized throughout the world. He drove himself in his Nation's service unmercifully. His sense of duty was such that he imposed upon himself tasks which no doubt hastened the end of his illustrious life.

The name of John Foster Dulles will forever illuminate the scroll of the illustrious great of the Republic.

Mr. ALLOTT. Mr. President, I wish to support the resolution submitted by the distinguished minority leader of the Senate concerning John Foster Dulles. Today in this Chamber many have stood to speak in sorrow and praise about our late Secretary of State. I wish, humbly, to associate myself with those statements of conviction which constitute the profound and soaring tribute so vividly won.

John Foster Dulles was a master in his field. By training, by discipline, by dedication, by superb mental prowess, he typified the most rigorous meaning of the word "professional." He qualified to the highest degree as both a traditional and a modern diplomat.

Another quality of his leadership was the spiritual fervor which provided continuous sustenance to the unusual dimensions of his judgment on the most sophisticated and critical aspects of a humankind's destiny. He vitally recommitted us to the very essence of the founding and survival of this Nation.

A man of principle, therefore, he etched in the annals of this epoch the strength, the courage, and the stamina so desperately needed, and so frequently lacking, to bring principles to life and to clear value before the world. In a time when experts in the matters of international affairs—both scholars and practitioners—sought, honestly, to end the scary and weakening effects of the stalemate in the struggle for peace through policies of flexibility, "disengagement," and the like, he quietly, patiently, firmly, and forcefully insisted on the wisdom of his larger vision of the nature and threat of world communism. He was creatively resolute.

John Foster Dulles was both a brilliant symbol and a brilliant force of the qualities which America most stands for and most desperately needs.

We must be grateful for a President who so well recognized the true value of this man; and all of us can gain from recognizing the unique relationship of warmth and depth and trust which Mr. Eisenhower and our former Secretary of State shared.

I trust that all of us do know what a really profound moment of sorrow John Foster Dulles' death is for us, Mr. Presi-

dent, and at the same time, of course, that the power and perspective of this American's contribution assure for it an endurance and a continuing vitality which the earthly man himself could not match.

Mr. SCOTT. Mr. President, the free world mourns the passing of John Foster Dulles. He does, indeed, typify those of whom it was said in the days of ancient Rome, and of whom it is still said today, they deserve well of the Republic.

His strong voice was heard in all of the areas of controversy, stress, and turmoil. Wherever freedom stood, its banners unfurled, in defending high principle and nobility of purpose, there was found our eminent and distinguished Secretary of State.

He was indeed the very strong voice of the United States, and of all men and women everywhere who love and honor and fight for freedom, who aline themselves on the side of right and justice, and against slavery and tyranny, which are the eternal enemy of the dignity of mankind.

The world mourns John Foster Dulles. There is not another like him.

I join in the expression of grief and sadness at his passing, and in the pride which we all feel in his achievements, and in extending condolences to his family and loved ones.

The VICE PRESIDENT. Does any other Senator wish to speak on the pending resolution? If not, the question is on agreeing to the resolution.

The resolution was unanimously agreed to.

NOTICE OF HEARINGS ON APPROPRIATIONS FOR THE NATIONAL CANCER INSTITUTE—TRIBUTE TO JOHN FOSTER DULLES

Mr. NEUBERGER. Mr. President, I never had the privilege or the opportunity of knowing Secretary of State John Foster Dulles personally. However, I have long admired the courage, the knowledge, and the dedication with which he fulfilled his great responsibilities.

Mr. President, I know that at a time like this words are futile. Therefore I desire to point out that tomorrow morning, at 10 o'clock, hearings will open on appropriations for the National Cancer Institute. It will be my privilege to appear at that time and to testify, along with such eminent medical men in the field of cancer research as Dr. Sidney Farber, of the Children's Cancer Research Foundation; Dr. I. S. Ravdin, of the University of Pennsylvania Medical School; and others.

Mr. President, it seems to me that that will be the time for us to memorialize the career of John Foster Dulles, and to do so with deeds, rather than with words.

It is my hope that a generous, ample, and adequate appropriation this year for the great research programs of the National Cancer Institute will be dedicated to John Foster Dulles and to any of those who in the future may struggle with this disease.

I ask unanimous consent that a statement which I issued in tribute to Secretary Dulles may be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR NEUBERGER

John Foster Dulles will rank in history as one of the most dedicated and devoted men ever to serve as Secretary of State. He made many important contributions above and beyond the call of duty. By his early return to his post following cancer surgery several years ago, he may even have denied himself the prolonged therapy which could have prolonged his life. Mrs. Neuberger and I sympathize fully with Mrs. Dulles and other members of the Dulles family in their great loss.

MORNING BUSINESS

The VICE PRESIDENT. Morning business is now in order.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

REPORT ON STRATEGIC AND CRITICAL MATERIALS STOCKPILING PROGRAM

A letter from the Director, Office of Civil and Defense Mobilization, Executive Office of the President, transmitting, pursuant to law, a report on the strategic and critical materials stockpiling program, for the period July 1 to December 31, 1958 (with an accompanying report); to the Committee on Armed Services.

REPORT ON EXPORT CONTROL

A letter from the Secretary of Commerce, transmitting, pursuant to law, a report on export control, for the first quarter of 1959 (with an accompanying report); to the Committee on Banking and Currency.

AUDIT REPORT ON BUREAU OF CUSTOMS

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on the Bureau of Customs, Treasury Department, December 1958 (with an accompanying report); to the Committee on Government Operations.

TEMPORARY ADMISSION INTO THE UNITED STATES OF CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered, granting temporary admission into the United States of certain aliens (with accompanying papers); to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A joint resolution of the Legislature of the State of Alaska; to the Committee on Interior and Insular Affairs:

"SENATE JOINT MEMORIAL 23

"To the Honorable Dwight D. Eisenhower, President of the United States; the Honorable Richard Nixon, President of the U.S. Senate; the Honorable Sam Rayburn, Speaker of the House of Representatives; the Honorable E. L. Bartlett and the Honorable Ernest Gruening, Senators from Alaska; the Honorable Ralph J. Rivers, Representative from Alaska; the Honorable Fred A. Seaton, Secretary of the Interior; the Honorable Glenn L. Emmons, Commissioner of Indian Affairs; the Honorable James E. Hawkins, Alaska Area Director, Bureau of Indian Affairs:

"Whereas there is at present serious lack of both elementary and secondary schools throughout the remote areas of Alaska; and

"Whereas the present school facilities in such areas are overcrowded, and often dangerous due to age and condition; and

"Whereas such conditions result in some 300 school age children, particularly at the secondary level, being unable to attend school; and

"Whereas education is a prime necessity if our native people are to progress to the point of economic and social self-sufficiency; and

"Whereas the Juneau Area Office of the Bureau of Indian Affairs has plans for the construction of the needed school facilities for all such remote areas; and

"Whereas these construction plans of the Bureau of Indian Affairs clearly reflect the real and present school needs of the native communities of Alaska; and

"Whereas due to appropriation limitations these plans are scheduled out over a number of years, causing the building program to fall far behind current needs;

"Now, therefore, your memorialist respectfully urges that proper legislation be passed by the 86th Congress allowing for appropriations to carry out immediately the school construction plans as outlined in the program request for elementary and high school construction of the Juneau Area Office of the Bureau of Indian Affairs for the year 1959.

"Passed by the Senate March 30, 1959.

"WILLIAM E. BELTZ,
"President of the Senate.

"Attest:

"KATHERINE T. ALEXANDER,
"Secretary of the Senate.

"Passed by the House April 8, 1959.

"WARREN A. TAYLOR,
"Speaker of the House.

"Attest:

"ESTHER REED,
"Chief Clerk of the House."

A joint resolution of the Legislature of the State of Alaska; to the Committee on Public Works:

"SENATE JOINT MEMORIAL 26

"To the Honorable Dwight D. Eisenhower, President of the United States; the Honorable Richard M. Nixon, President of the Senate; the Honorable Sam Rayburn, Speaker of the House of Representatives; the Honorable Fred A. Seaton, Secretary of the Interior; the Honorable Chairman and Members of the Senate and House Committees on Ways and Means, Finance and Interior and Insular Affairs; and the Alaska Delegation in Congress:

"Your memoralist, the Legislature of the State of Alaska in the First State Legislature, first session assembled, respectfully submits that:

"Whereas the program for the construction of essential capital improvements through the Alaska public works of the Department of Interior has been both successful and meritorious in the years since its inception; and

"Whereas this vital program and its supporting appropriation are due to expire on June 30, 1959; and

"Whereas the impending demise of the program finds numerous needed and important projects already approved but scheduled to be shelved because of the expiration of the Alaska public works program; and

"Whereas the tremendous impact of Federal defense and other activities is still being felt by Alaskan communities in their need for expanded school, water, sewerage, and other facilities far above what the State

and local governments can or should be expected to meet;

"Now, therefore, your memorialist urges that the President and the Congress take the necessary action before June 30, 1959, to extend the life of the Alaska public works program for 3 years and request authorization of $30 million and appropriation of $10 million for the fiscal year of 1960 to accomplish the projects which have been approved or upon which approval is now pending by the Department of the Interior.

"Passed by the Senate April 10, 1959.

"WILLIAM E. BELTZ,
"President of the Senate.

"Attest:

"KATHERINE T. ALEXANDER,
"Secretary of the Senate.

"Passed by the House April 13, 1959.

"WARREN A. TAYLOR,
"Speaker of the House.

"Attest:

"ESTHER REED,
"Chief Clerk of the House."

A joint resolution of the Legislature of the State of Colorado; to the Committee on Banking and Currency:

"HOUSE JOINT MEMORIAL 12

"Joint memorial memorializing the Congress of the United States to restore to the American people the right to acquire, possess, and dispose of gold in any form, to prohibit the sale of monetary gold by the United States for industrial and artistic purposes, and to regulate the price of gold in the settlement of foreign trade balances

"Whereas the Gold Reserve Act of 1934 deprived the people of the United States of their natural and constitutional right to acquire, possess, and dispose of gold coins or gold bullion, and further authorized the Secretary of the Treasury of the United States to prescribe the conditions under which gold may be acquired, held, imported, or exported for industrial and artistic uses, and for the settlement of international trade balances; and

"Whereas the price of gold was officially fixed at $35 per ounce in the year 1934, and since then has never been increased, although costs of mining and all other expenses, including taxes, have greatly increased, and in some cases have doubled and even trebled in amount; and

"Whereas thousands of gold mines in this and other Western States have closed down because of the utter impossibility of operating at 1959 costs to produce a product which can only be sold at its 1934 price; and

"Whereas because of the closing down of gold mines, hundreds of school districts, towns, and other governmental agencies in 12 Western States, as well as such States and the National Government, have been deprived of millions of dollars in tax revenues, once prosperous mining towns have become ghost towns, unemployment has increased, skilled miners have been scattered to the four winds, millions of dollars in mining machinery and buildings have been lost through nonuse, rust, and decay, and other millions of dollars of mine workings have been destroyed by cave-ins, rotting timbers, flooded workings, and the like; and

"Whereas the Gold Act of 1934 discriminates in favor of goldsmiths and gold manufacturers by guaranteeing to them a ready supply of gold raw materials from the monetary gold stocks of the United States at a price fixed by law in 1934 and places no restrictions upon the price at which the products of such goldsmiths and gold manufacturers are sold to the public; and

"Whereas the Gold Act of 1934 discriminates against the gold miner by compelling him to sell his products to one customer, the U.S. mint, at a price far below its cost of production; and

"Whereas by insisting upon maintaining the price of gold at $35 an ounce for all purposes, the Treasury of the United States has bestowed great profit and wealth upon foreign countries and citizens of foreign countries to the detriment of the people of the United States by pricing gold in the settlement of trade balances with foreign nations and with citizens of foreign nations at $35 an ounce, and delivering gold in settlement of such balances at such price, and thus enabling the recipients of such gold to obtain an additional profit by selling such gold in other markets of the world where the price of gold is greater than $35 an ounce; and

"Whereas the U.S. Government in valuing gold at $35 an ounce for the settlement of international trade balances places an insurmountable hardship upon many industries of the United States by granting foreign countries, or citizens of foreign countries, with competing industries the right to receive gold in payment of goods sold in this country, and by valuing such gold at $35 an ounce in the making of such payments, thus enabling such foreign countries or industries to obtain additional sums on goods sold in this country by selling the gold received in payment for such goods in markets where the price of gold is greater than $35 an ounce. Because domestic industries are by law prohibited from receiving gold in payment of their products or acquiring or selling gold, they are denied this additional consideration; that this discrimination, together with wide variation in the costs of labor, taxes, and other expenses between domestic industries and competing foreign industries is closing down entire industries in this country, creating unemployment, causing great loss of tax revenue and increased governmental expense; and

"Whereas the practice of the United States in both buying and selling gold to domestic gold manufacturers and foreign banks and countries at $35 an ounce is continually depressing the price of gold, and has been and is preventing its increase in price along with prices of other commodities; and

"Whereas this Nation has lost, and is now losing, and will continue to lose, its monetary gold to foreign nations so long as this Nation prices its gold below the price paid for gold in foreign nations; and

"Whereas without cost to the people of this Nation the gold mines of this country can be reopened, unemployment decreased, ghost towns again become flourishing communities, tax revenues be increased, costs of government reduced, and the right to own, possess and dispose of gold in any form be restored to the American people; and

"Whereas since most metallic ore bodies contain varying quantities of gold in addition to other metals, a realistic price for gold would benefit other mines whose principal production is in copper, lead, zinc, or other base metals: Now, therefore, be it

"Resolved by the House of Representatives of the 42d General Assembly of the State of Colorado, the Senate concurring herein, That it respectfully memorializes the Congress of the United States to repeal those portions of the Gold Act of 1934 which deny to the American people their natural and constitutional right to acquire, possess and dispose of metallic gold in any form, and that it restore and confirm such right in the American people; be it further

"Resolved, That the U.S. Treasury, the U.S. mint, the Federal Reserve Bank, and their officials, and any other agency of the U.S. Government, or its officials having custody of the monetary gold stocks of the United States, or any part of them, be prohibited from selling or otherwise disposing of any part of such gold stocks for artistic or industrial purposes, or for any purpose other than bona fide monetary transactions; be it further

"Resolved, That in all settlements of international trade balances or international monetary transactions of any kind with any foreign country or citizens of a foreign country involving gold from the monetary gold stocks of the United States, that such gold for the purposes of such settlement or transaction be valued at the official price of gold in such foreign country, but not less than $35 per ounce; be it further

"Resolved, That a copy of this memorial be transmitted to the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States, and to the Senators and Congressmen representing the State of Colorado in the Congress of the United States.

"CHARLES R. CONKLIN,
"Speaker of the House of Representatives.

"ROBERT L. KNOUS,
"President of the Senate.

"ROBERT S. EBERHARDT,
"Chief Clerk of the House of Representatives.

"LUCILLE L. SHUSTER,
"Secretary of the Senate."

A joint resolution of the Legislature of the State of Colorado; to the Committee on Finance:

"HOUSE JOINT MEMORIAL 11

"Joint memorial memorializing the Congress of the United States to amend the Internal Revenue Code to allow the oil shale industry the same depletion allowance as that accorded the oil and gas industry

"Whereas it is becoming apparent that the United States must eventually turn more and more to synthetic sources to supplement its petroleum resources, and for this reason the promotion and development of new domestic sources of fuel oils, including the mining and production of oil shale, is essential; and

"Whereas the depletion allowance now allowed on the mining of oil shale is less than that accorded the oil and gas industry; and

"Whereas the oil shale industry, in the exploration and promotion of oil shale deposits and in the mining of oil shale, should be given the same tax treatment as is accorded the oil and gas industry, in order to expand the oil shale industry and create a competitive market between the two industries: Now, therefore, be it

"Resolved by the House of Representatives of the 42d General Assembly of the State of Colorado, the Senate concurring herein, That it respectfully memorializes the Congress of the United States to amend the Internal Revenue Act so as to provide that the depletion allowance allowed on the mining of oil shale be raised to 27½ percent of the value of the oil produced from oil shale mined; and be it further

"Resolved, That a copy of this memorial be transmitted to the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States, and to the Senators and Congressmen representing the State of Colorado in the Congress of the United States.

"CHARLES S. CONKLIN,
"Speaker of the House of Representatives.

"ROBERT S. EBERHARDT,
"Chief Clerk of the House of Representatives.

"ROBERT L. KNAUS,
"President of the Senate.

"LUCILLE L. SHUSTER,
"Secretary of the Senate."

A joint resolution of the Legislature of the State of Oregon; to the Committee on Armed Services:

"ENROLLED SENATE JOINT MEMORIAL 6

"To the Honorable Senate and House of Representatives of the United States of America, in Congress Assembled:

"We, your memorialists, the 50th Legislative Assembly of the State of Oregon, in leg-

islative session assembled, most respectfully represent as follows:

" 'Whereas the 85th session of Congress enacted a new military pay law, Public Law 85–422, concerning an increase in the basic and other pay of Armed Forces personnel; and

" 'Whereas this law denies to those retired after June 1, 1958, including those retired because of disability incurred in line of duty, to have their retired pay computed at the increased rate; and

" 'Whereas retired members of the Armed Forces of the United States reside in every portion of our country, and the State of Oregon is privileged to have many retired personnel who have served their country faithfully and with distinction; and

" 'Whereas there appears to be no basis for this gross discrimination against retired personnel, who by reason of past meritorious services are equally entitled to benefits granted active duty members of the Armed Forces and survivors of military personnel; and

" 'Whereas the circumstances of retirement should not penalize these members of our society, who must meet the present increased cost of living the same as active duty personnel and survivors: Now, therefore, be it

" '*Resolved by Senate of the State of Oregon, the House of Representatives jointly concurring therein,* That the Congress of the United States be memorialized to amend Public Law 85–422, or any similar legislation, to include presently retired members of the Armed Forces within the provisions increasing the basic pay of members of the Armed Forces, so that their retirement benefits will be increased accordingly, and to enact this legislation in such amended form; and be it further

" '*Resolved,* That copies of this memorial be transmitted to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to all Members of the Oregon congressional delegation.'

"Adopted by senate April 17, 1959.

"MEDA COLE,
"Chief Clerk of Senate.
"WALTER J. PEARSON,
"President of Senate.

"Adopted by house April 22, 1959.

"ROBERT B. DUNCAN,
"Speaker of House."

Two joint resolutions of the Legislature of the State of Oregon; to the Committee on Interior and Insular Affairs:

"ENROLLED SENATE JOINT MEMORIAL 8

"To the Honorable Senate and House of Representatives of the United States of America in Congress Assembled:

"We, your memorialists, the 50th Legislative Assembly of the State of Oregon, in legislative session assembled, most respectfully represent as follows:

" 'Whereas it is believed that the Congress of the United States, the Federal courts and all Federal departments and agencies concerned should recognize the importance and sanctity of water rights of individuals and of the several States; and

" 'Whereas it is feared that failure to recognize and acknowledge the importance of such rights may develop into a pattern of Federal usurpation of individual and States' rights over water: Now, therefore, be it

" '*Resolved by the Senate of the State of Oregon, the House of Representatives jointly concurring therein,* That the Congress of the United States be and it respectfully is memorialized to take all necessary action:

" '(1) To preserve the water rights of the individual and of the States and to prevent Federal usurpation of those rights;

" '(2) To see that legislation is initiated and supported to reestablish to the individuals and to the States such rights as may have been taken from them by either the Federal courts or any department or agency of the United States; and

" '(3) In every way possible to reaffirm, renew and defend the concept that water rights are property rights and that these established rights to the use of water, by a State or an individual, should not be taken away without due process of law and adequate compensation; and be it further

" '*Resolved,* That copies of this memorial be sent to the President and Vice President of the United States, and to those Members of the House of Representatives and the Senate representing the State of Oregon.'

"Adopted by senate April 15, 1959.

"MEDA COLE,
"Chief Clerk of Senate.
"WALTER J. PEARSON,
"President of Senate.

"Adopted by house April 21, 1959.

"ROBERT B. DUNCAN,
"Speaker of House."

"ENROLLED SENATE JOINT MEMORIAL 11

"To the Honorable Senate and House of Representatives of the United States of America in Congress Assembled:

"We, your memorialists, the 50th Legislative Assembly of the State of Oregon, in legislative session assembled, most respectfully represent as follows:

" 'Whereas the Tualatin River and its tributaries, located in northwestern Oregon, form a basin for an area of land covering approximately 711 square miles; and

" 'Whereas in the past, due to the absence of any flood control and irrigation facilities, adjoining lands have been adversely affected by inundation during winter months and lack of adequate supplies of water during summer months; and

" 'Whereas there is contained within the Tualatin River Basin many and varied interests urgently in need of preservation and protection, such as fish, wildlife, extensive recreational facilities, agricultural pursuits, and many other needs vitally affected by the presence or lack of water; and

" 'Whereas the Bureau of Reclamation, Department of the Interior, in the course of an investigation and report submitted in 1956 did recommend an extensive plan of improvement for the Tualatin River Basin; and

" 'Whereas the report of the Bureau of Reclamation did recommend immediate construction of Scoggin Dam and Reservoir to provide 46,000 acre-feet of usable storage space; and

" 'Whereas due to the accelerated increase in population since 1955 within the Tualatin River Basin, with its attendant additional demands in uses of land, natural resources, and recreational facilities, the conditions requiring flood control, irrigation, and other protective measures in said area have become acutely aggravated: Now, therefore, be it

" '*Resolved by the Senate of the State of Oregon, the House of Representatives jointly concurring therein,* That immediate action be taken by the Congress of the United States and the Federal Government to appropriate the necessary funds and to authorize and direct immediate consideration of suitable facilities, including but not limited to, a dam, reservoir, channel improvement, and such other reasonable and necessary facilities and improvements in the Tualatin River Basin, Oreg., to provide and preserve adequate and safe flood control, irrigation, and recreational facilities as will contribute to the betterment of fish and wildlife conditions and to the welfare of those citizens of the United States and the State of Oregon vitally affected and concerned thereby; and be it further

" '*Resolved,* That copies of this memorial be sent to the President and Vice President of the United States, and to all members of the Oregon congressional delegation.'

"Adopted by senate April 21, 1959.

"Readopted by senate April 29, 1959.

"MEDA COLE,
"Chief Clerk of Senate.
"WALTER J. PEARSON,
"President of Senate.

"Adopted by house April 27, 1959.

"ROBERT B. DUNCAN,
"Speaker of House."

A joint resolution of the Legislature of the State of Oregon; to the Committee on Post Office and Civil Service:

"ENROLLED SENATE JOINT MEMORIAL 9

"To the Honorable Senate and House of Representatives of the United States of America in Congress Assembled:

"We, your memorialists, the 50th Legislative Assembly of the State of Oregon, in legislative session assembled, most respectfully represent as follows:

" 'Whereas one and one-half million American citizens are visiting, working, and living in foreign countries; and

" 'Whereas no governmental agency makes permanent birth, death, marriage, divorce, adoption and other vital records for these citizens comparable to those obtainable by citizens resident in the continental United States through State offices of vital statistics; and

" 'Whereas vital events affecting many U.S. citizens go unregistered, and the lack of proof of the facts of such events make difficult the collection of insurance, qualification for inheritance, obtaining veterans' benefits and proof of U.S. citizenship; and

" 'Whereas the forms and procedures used by the State Department make no allowances for errors and an incorrect State Department report of birth cannot be corrected or changed; a child of American citizens adopted by other American citizens in a foreign country can never have a birth certificate in his new name; an American woman bearing a child out of wedlock can never obtain a new birth certificate for her child if she marries; American citizens adopting foreign children overseas cannot obtain a new birth certificate for their child from the Federal Government until they have returned the child to this country; and

" 'Whereas oversea births to American parents not registered with the State Department must be judged on an individual basis by the Immigration and Naturalization Service of the Department of Justice for the possible awarding of a certificate of citizenship, and neither this certificate nor the State Department report of birth is comparable to a standard certificate of birth issued by the State governments within the United States; and

" 'Whereas a number of persons have been denied passports because either (a) the official State delayed certificates of birth which they present in evidence of their American citizenship are not acceptable to the State Department; or (b) they are adopted persons who have subsequently received new birth certificates in their adopted names when their status was legally changed; even though such certificates meet required national registration standards and clearly show the types of records used to establish conclusively the date and place of birth of the registrant and the names of his parents; and

" 'Whereas all State registration offices recognize the principle that a person should have a birth certificate in his legal name and that such certificate should make no reference to his previous status: Now therefore, be it

" '*Resolved by the Senate of the State of Oregon, the House of Representatives jointly concurring therein,* That action be taken to establish in the Federal Government a

single vital statistics registration office with responsibilities, duties and scope of activities similar to those of offices of vital statistics now existing in every State, such central Federal office of vital statistics registration to prepare, register and issue necessary certified copies of birth, death, marriage, divorce, adoption and allied records of such occurrences to American citizens visiting or living outside the United States and its Territories; be it further

" 'Resolved, That the proposed Federal vital statistics office should receive from the Immigration and Naturalization Service the facts of vital events concerning all naturalized citizens necessary to the preparation and filing of vital records and the issuance of certified copies thereof; and be it further

" 'Resolved, That copies of this memorial be sent to the President and Vice President of the United States and to all members of the Oregon congressional delegation.'

"Adopted by senate April 17, 1959.

"MEDA COLE,
"Chief Clerk of Senate.
"WALTER J. PEARSON,
"President of Senate.

"Adopted by house April 21, 1959.

"ROBERT B. DUNCAN,
"Speaker of House."

A resolution adopted by the Common Council of the city of Englewood, N.J., favoring the enactment of House bill 2446, requiring the disclosure of addresses of husbands and parents who have deserted their families; to the Committee on Labor and Public Welfare.

RESOLUTION OF GOVERNING BODY OF CITY OF GREAT BEND, KANS.

Mr. CARLSON. Mr. President, the governing body of the city of Great Bend, Kans., approved a resolution urging Congress to provide sufficient funds for the initiation and completion of a flood control project for the protection of that city and surrounding territory.

This area in the past decades has suffered serious flood damage and the Congress has authorized preliminary design studies to be made for the purpose of flood control of the Arkansas River and tributaries. This project would be a part of that program.

I ask unanimous consent that this resolution be made a part of these remarks and referred to the Public Works Committee.

There being no objection, the resolution was referred to the Committee on Public Works, and ordered to be printed in the RECORD, as follows:

"RESOLUTION 5459–A

"Whereas the Congress of the United States has authorized preliminary design studies to be made for the purpose of flood control of the Arkansas River and tributaries thereof; and

"Whereas no funds have been allocated by the Congress of the United States to enable the Corps of Engineers to make said design studies covering flood control of the Arkansas River and tributaries thereof; and

"Whereas Great Bend, Kans., and the surrounding environs are subject to the threat of floods and it is necessary that some plan for the alleviation of said flood threats shall be devised: Now, therefore, be it

Resolved by the governing body of the city of Great Bend, Kans.:

"1. That it is deemed necessary that definite, positive, and continuing action be taken by said governing body and the citizens of the city of Great Bend, Kans., to initiate an overall plan for flood control of the Arkansas River and tributaries thereof in the vicinity of the city of Great Bend, Kans., and its environs.

"2. That the Corps of Engineers, Albuquerque District, be advised of said determination to proceed with a definite plan for the alleviation of said flood threats and request said Corps of Engineers to initiate on behalf of the city of Great Bend, Kans., through its channels to the Congress of the United States for funds to make a preliminary design study of the overall flood control problems of said city.

"3. That the city of Great Bend, Kans., through its duly authorized officials, make known the desire of the city of Great Bend to its U.S. Congressmen, officials of the State of Kansas and other public officials, the need of an immediate allocation of funds for the purpose of enabling the Corps of Engineers to make a preliminary design study, and that all actions necessary to expedite said studies and completion of an overall plan for the alleviation of flood threats from the Arkansas River and its tributaries to the city of Great Bend and surrounding territory be initiated.

"4. That copies of this resolution be forwarded to the Corps of Engineers, Albuquerque District, U.S. Congressmen and officials of the State of Kansas.

"Adopted and passed by the governing body of the city of Great Bend, Kans., this 4th day of May 1959.

"DON WELTMER,
"Mayor.

"Attest:

"K. W. HOAR,
"City Clerk."

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JOHNSTON of South Carolina, from the Committee on Post Office and Civil Service, without amendment:

H.R. 5212. An act to revise the minimum charge on pieces of mail of odd sizes and shapes (Rept. No. 328).

By Mr. EASTLAND, from the Committee on the Judiciary, without amendment:

S. 919. A bill for the relief of Kenneth Lashley, Jr. (Rept. No. 312);

S. 1053. A bill for the relief of Rosa Maria Montenegro (Rept. No. 313);

S. 1171. A bill for the relief of Katharina Hoeger (Rept. No. 314);

H.R. 1758. An act for the relief of Gerald M. Cooley (Rept. No. 315);

H.R. 2044. An act for the relief of the estate of Richard Anthony Nunes, Jr. (Rept. No. 316);

H.R. 2289. An act for the relief of Mrs. Gertrude E. Shetler (Rept. No. 317);

H.R. 2586. An act for the relief of Miss Mame E. Howell (Rept. No. 318);

H.R. 4345. An act to repeal clause (9) of subdivision a of section 39 of the Bankruptcy Act (11 U.S.C. 67a (9)), respecting the transmission of papers by the referee to the clerk of the court (Rept. No. 319); and

H.R. 4692. An act to amend sections 1, 18, 22, 331, and 631 of the Bankruptcy Act (11 U.S.C. 1, 41, 45, 731, 1031) to provide for automatic adjudication and reference in certain cases (Rept. No. 320).

By Mr. EASTLAND, from the Committee on the Judiciary, with an amendment.

S. 1442. A bill for the relief of Kim Fukata and her minor child (Rept. No. 321).

By Mr. EASTLAND, from the Committee on the Judiciary, with amendments:

S. 977. A bill for the relief of Nasubit Mildred Milkie (Rept. No. 322); and

H.J. Res. 322. Joint resolution for the relief of certain aliens (Rept. No. 323).

By Mr. JOHNSTON of South Carolina, from the Committee on the Judiciary, with an amendment:

S. 1667. A bill for the relief of the widow of Col. Claud C. Smith (Rept. No. 324).

By Mr. O'MAHONEY, from the Committee on the Judiciary, without amendment:

S.J. Res. 59. Joint resolution requesting the President to issue a proclamation designating 1959 for the observance of the 350th anniversary of the historic voyages of Hudson and Champlain (Rept. No. 325); and

H.R. 4012. An act to provide for the centennial celebration of the establishment of the land-grant colleges and State universities and the establishment of the Department of Agriculture, and for related purposes (Rept. No. 326).

By Mr. O'MAHONEY, from the Committee on the Judiciary, with an amendment:

H. Con. Res. 17. Concurrent resolution authorizing and requesting the President to designate the period beginning June 14, 1959, and ending June 20, 1959, as National Little League Baseball Week (Rept. No. 327).

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. SALTONSTALL, from the Committee on Armed Services:

Joseph P. Charyk, of California, to be an Assistant Secretary of the Air Force, vice Richard C. Harner, resigned.

By Mr. RUSSELL, from the Committee on Armed Services:

Ludvig Jarad Aamodt, and sundry other cadets, graduating class of 1959, U.S. Military Academy, for appointment in the Regular Army of the United States, in the grade of second lieutenant; and

Michael Joseph Cronin, and sundry other midshipmen, graduating class of 1959, U.S. Naval Academy, for appointment in the Regular Army of the United States, in the grade of second lieutenant.

By Mr. FULBRIGHT, from the Committee on Foreign Relations:

J. Graham Parsons, of New York, a Foreign Service officer of the class of career minister, to be an Assistant Secretary of State;

John M. Cabot, of the District of Columbia, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary to Brazil;

Ogden Rogers Reid, of New York, to be Ambassador Extraordinary and Plenipotentiary to Israel;

John M. Raymond, of the District of Columbia, to be the representative on the United Nations Commission on Permanent Sovereignty over Natural Wealth and Resources;

G. Edward Clark, of New York, and sundry other persons, for appointment and promotion in the Foreign and Diplomatic Service; and

Harry Grossman, of California, and sundry other persons, for appointment and promotion in the Foreign and Diplomatic Service.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MURRAY (for himself, Mr. ALLOTT, Mr. BARTLETT, Mr. BIBLE, Mr. CANNON, Mr. CHAVEZ, Mr. CHURCH, Mr. GOLDWATER, Mr. HAYDEN, Mr. MANSFIELD, Mr. MARTIN, Mr. MOSS, and Mr. YOUNG of Ohio):

S. 2048. A bill relating to the sale of certain minerals and metals acquired by the United States; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. MURRAY when he introduced the above bill, which appear under a separate heading.)

By Mr. JAVITS:

S. 2049. A bill for the relief of Vito Magistrale; to the Committee on the Judiciary.

By Mr. SMATHERS:

S. 2050. A bill for the relief of Leokadia Guzy; to the Committee on the Judiciary.

By Mr. NEUBERGER:

S. 2051. A bill to amend the Internal Revenue Code of 1954 to provide an income tax deduction for depletion of human resources; to the Committee on Finance.

(See the remarks of Mr. NEUBERGER when he introduced the above bill, which appear under a separate heading.)

By Mr. EASTLAND (by request):

S. 2052. A bill to amend the Bankruptcy Act in regard to the closing fee of the trustee and in regard to the fee for the filing of a petition; to the Committee on the Judiciary.

By Mr. JOHNSTON of South Carolina (for himself and Mr. THURMOND):

S. 2053. A bill to provide for the acceptance by the United States of a fish hatchery in the State of South Carolina; to the Committee on Interstate and Foreign Commerce.

By Mr. CASE of New Jersey:

S. 2054. A bill for the relief of Candido Sestayo; to the Committee on the Judiciary.

By Mr. MAGNUSON:

S. 2055. A bill to amend title 23 of the United States Code in order to provide for a transcontinental highway from northern Michigan to Everett, Wash., as part of the Interstate System; and

S. 2056. A bill to provide for an addition to the National System of Interstate and Defense Highways from Seattle, Wash., to the Pacific Ocean; to the Committee on Public Works.

By Mr. COOPER:

S. 2057. A bill to authorize the acquisition of land for donation to the Pan American Health Organization as a headquarters site; to the Committee on Public Works.

By Mr. BRIDGES (for himself, Mr. BYRD of Virginia, and Mr. CURTIS):

S.J. Res. 99. Joint resolution proposing an amendment to the Constitution of the United States relative to the balancing of the budget; to the Committee on the Judiciary.

(See the remarks of Mr. BRIDGES when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. EASTLAND:

S.J. Res. 100. Joint resolution to provide for the designation of the third Thursday of June of each year as National Country Music Day; to the Committee on the Judiciary.

CONCURRENT RESOLUTIONS

PRINTING OF ADDITIONAL COPIES OF CERTAIN HEARINGS ON "ADMINISTERED PRICES"

Mr. CARROLL (for Mr. KEFAUVER) submitted the following concurrent resolution (S. Con. Res. 38), which was referred to the Committee on Rules and Administration:

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Committee on the Judiciary, U.S. Senate, 5,000 additional copies each of Parts 1, 2, 3, and 4 of the hearings conducted by the committee during the 85th Congress, first session, on "Administered Prices."

PRINTING OF ADDITIONAL COPIES OF CERTAIN REPORTS FOR USE OF COMMITTEE ON THE JUDICIARY

Mr. CARROLL (for Mr. KEFAUVER) submitted a concurrent resolution (S. Con. Res. 39); which was referred to the Committee on Rules and Administration, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Committee on the Judiciary, U.S. Senate, 5,000 additional copies each of the following reports: Senate Report 1387 (85th Cong., 2d sess.) of the Committee on the Judiciary, entitled "Administered Prices—Steel"; and three reports of the Subcommittee on Antitrust and Monopoly entitled respectively "Concentration in American Industry" (85th Cong., 1st sess.); "Administered Prices—Automobiles" (85th Cong., 2d sess.); and "Case Study of Incipient Monopoly in Milk Distribution" (85th Cong., 2d sess.).

RESOLUTIONS

Mr. DIRKSEN (for himself and Mr. JOHNSON of Texas) submitted a resolution (S. Res. 124) relative to the death of former Senator and former Secretary of State John Foster Dulles, which was considered and agreed to.

(See the above resolution printed in full when submitted by Mr. DIRKSEN, for himself and Mr. JOHNSON of Texas, which appears under a separate heading.)

Mr. LONG submitted a resolution (S. Res. 125) relating to international arrangements for apprehension and trial of fugitive heads of state, which was referred to the Committee on Foreign Relations.

(See the above resolution printed in full when submitted by Mr. LONG, which appears under a separate heading.)

SALE OF CERTAIN MINERALS AND METALS

Mr. MURRAY. Mr. President, I introduce for appropriate reference, a bill which calls for the administration's obtaining prior congressional approval before disposing of materials in the so-called DPA stockpile just as is the case in respect to the national stockpile and the supplemental stockpile.

Recently it was realized that Congress inadvertently had failed to throw this safeguard around any disposal plan for the DPA stockpile.

I am joined in the sponsorship of this bill by Senators ALLOTT, BARTLETT, BIBLE, CANNON, CHAVEZ, CHURCH, GOLDWATER, HAYDEN, MANSFIELD, MARTIN, MOSS, and YOUNG of Ohio.

Mr. President, at the present time something in excess of a billion dollars worth of materials are in the DPA stockpile, and in recent weeks there was a classic example of how any irresponsible plan for the disposal of this material, or any part thereof, could disrupt the market. I refer to published reports that a plan was being formulated for the sale to industry of 128,000 tons of DPA stockpiled copper. The reaction was immediate and violent. The London market for copper dropped within a few days some 4 cents a pound.

The provisions of this bill are similar to those which govern the disposal of the national stockpile and the supplemental stockpile and in no wise prohibits disposal. Rather, it calls for prior congressional approval.

I ask unanimous consent that the bill be printed in the RECORD at this point and that it lie on the table until the end of the session on Friday, May 29, so that other Senators who wish to may join in its sponsorship.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD, and lie on the desk, as requested by the Senator from Montana.

The bill (S. 2048) relating to the sale of certain minerals and metals acquired by the United States, introduced by Mr. MURRAY (for himself and other Senators), was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding any other provision of law, no minerals or metals, held and acquired under title III of the Defense Production Act of 1950, as amended, shall be sold or otherwise released into commercial channels unless the plan and date of the proposed disposal has been fixed with due regard to the protection of the United States against avoidable loss on the sale or other release of the material to be disposed of and the protection of producers, processors, and customers against disruption of their usual markets, and unless the proposed disposition has been approved by the Committees on Interior and Insular Affairs of the Senate and House of Representatives.

SEC. 2. Within thirty days after notification of a proposed disposition of minerals or metals has been received by a committee, referred to in the first section of this Act, the committee shall, by resolution, or letter signed by the chairman, approve, upon such conditions as it may deem necessary or appropriate, or disapprove such disposition. Action of the committee shall be by majority vote of the members thereof, and, for the purpose of taking such action, the chairman of the committee may poll the members during any period in which the Congress is in adjournment for more than three days.

RECOGNITION AND ALLOWANCE FOR DEPLETION OF HUMAN RESOURCES

Mr. NEUBERGER. Mr. President, much of the accent in America today is on youth. Advertising agencies and business firms take pride in proclaiming themselves as organizations with "young ideas." Whether they be professional people or day laborers, many men and women find themselves unable to gain employment because they are "too old" at 45 or 50 years to fit into this youthful civilization.

An individual exhausts his physical and mental resources as he grows older. It is said that the average man reaches the peak of his physical capacity when he is 26 or 27 years old. When a faithful bookkeeper is awarded a 25-year pin or a schoolteacher is honored for 30 years of service, he often finds that his eyesight is fading or that his nerves have become frayed. Human resources wear out as surely as do natural resources like minerals, oil, and timber.

We recognize and compensate for the exhaustion of petroleum and gas with generous "depletion allowances" for taxation purposes, but what notice do we

take of the depletion of human resources? I introduce today, for appropriate reference, a measure designed to recognize and compensate for the depreciation or depletion of human resources.

This proposal is not original with me. It was first introduced in the other body 2 years ago by Representative HERBERT ZELENKO, of New York. I then was pleased to introduce a companion measure in the Senate. Representative ZELENKO has again presented his bill to the House of Representatives this year, and I am again bringing identical legislation to the attention of the Senate.

The proposal is very simple. It would provide this: Each taxpayer, after he reaches the age of 45 years, would be allowed a deduction of 1 percent of his income earned by salaries, wages, or other activities for each year of age after his 45th year. In other words, a taxpayer would subtract 44 from his age, and the resulting figure would represent the percentage of his earned income which he could take as a deduction for human depletion.

The proposed progressive tax deduction would serve as an economic incentive to continue work for those men and women who would prefer to remain gainfully occupied, but it would also simultaneously give due recognition to the inevitable facts of human depletion.

Mr. President, the liberal McClatchy newspapers of California, including the Sacramento Bee, the Modesto Bee, and the Fresno Bee, published on April 20, 1959, a very thoughtful editorial on this subject, titled "Why Should Not Others Get Depletion Windfall?" I ask unanimous consent that excerpts from this editorial be printed in the RECORD at this point.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

[From the McClatchy Newspapers, California, Apr. 20, 1959]

WHY SHOULD NOT OTHERS GET DEPLETION WINDFALL?

U.S. Senator RICHARD L. NEUBERGER, of Oregon has raised the point that since the oil interests are granted a 27½-percent depletion allowance on their gross income for tax purposes, others, corporations and individuals, should be accorded such consideration.

Certainly it is true that from the moment he is born man starts using up his capital resources and the average man makes no such income as do the oil companies. The individual exhausts his physical and mental powers in accelerating measure from the time he reaches 50.

Professional athletes and airplane pilots are especially illustrative of those who deplete their youth rapidly, and youth is what such people depend upon to maintain their earning power.

But there is no such depletion allowance for the human machine as there is for insensate machinery and oil in the ground, although pilots and some professional athletes are able to negotiate above average salaries for their short-lived effectiveness.

The oil interests defend their windfall allowance on the grounds it provides incentive for new discoveries and gives them the means of regaining their capital for further searchings.

The little wildcatter is used much as some large utilities use the widow who holds a few shares in their companies to justify antisocial policies. Yet it is estimated that of a total of $2 billion in depletion allowances claimed in 1953 by the oil interests 63 percent went to companies with assets of more than $100 million each, and those with assets of $100,000 or less got only 4 percent of the total.

The Venezuelan Government in 1957 reported the oil industry in its country netted after taxes $829,500,000. And most of that industry is American owned.

Can any sensible person believe companies with such assets and profits would stop searching for oil if the depletion allowance were cut or even eliminated?

Depletion for most business is called depreciation and it is designed to allow replacement of wornout machinery. There is the most obvious inequity in allowing oil companies this 27½-percent windfall after their returns have sufficed to pay off all their investments many times over.

Mr. NEUBERGER. Mr. President, the editorial well points up the essential logic which I believe Representative ZELENKO's bill and my bill will spotlight: The same principles and standards which we apply to income earned from the exploitation of natural resources and invested capital should apply to everyone who uses his own body or his own mind in the production of income.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2051) to amend the Internal Revenue Code of 1954 to provide an income tax deduction for depletion of human resources, introduced by Mr. NEUBERGER, was received, read twice by its title, and referred to the Committee on Finance.

AMENDMENT TO CONSTITUTION RELATING TO BALANCING OF BUDGET

Mr. BRIDGES. Mr. President, I introduce, for appropriate reference, a joint resolution proposing an amendment to the Constitution of the United States relative to the balancing of the budget. The senior Senator from Virginia [Mr. BYRD] and the Senator from Nebraska [Mr. CURTIS] are cosponsors of the joint resolution.

The purpose of the amendment to the Constitution is to put this Nation on a pay-as-you-go basis, except in times of grave national emergency.

First, it would require the Executive to present a balanced budget. Then, if the Congress should unbalance the budget, the amendment would forbid the Congress to adjourn for more than 3 days at a time until it has restored it to balance. In the event of war or other grave national emergency, the Congress, on the recommendation of the President, could suspend these provisions by a vote of three-fourths of all the Members of each House.

It is true that this amendment would not absolutely guarantee that budget expenditures would not exceed budget receipts in every fiscal year, under the present budget system, but it would go a long way in that direction. It would at least require that estimated expenditures be no greater than estimated receipts, except in times of grave emergency.

This is the very least the Executive and the Congress should do in view of our staggering public debt—and in view of the inflationary effect of deficit Government financing. I sincerely believe this is the very least that the people of this country want the Congress and the Executive to do.

I believe the American family knows that all its members cannot do all the things they want or need to do, and still stay out of court or the poorhouse.

I believe the American family believes that the Government must use similar restraint, or be subject—and so subject all of us—to even worse results.

I am also encouraged by signs that the American people are becoming more aware that the deeper the Government goes into debt, the less their dollars can buy. They are beginning to realize that one very important reason why today's dollar will not buy half as much as it did in 1939 is that the public debt has risen from $40.4 billion to $286 billion in that time.

Daniel Webster said in 1834:

The very man above all others who has the deepest interest in sound currency, and who suffers most by mischievous legislation, is the man who earns his daily bread by his daily toil. A vast majority of us live by industry. The Constitution was made to protect this industry, to give it both encouragement and security; but above all, security.

On the same subject, Thomas Jefferson said:

To preserve our independence, we must not let our leaders load us with perpetual debt. We must make our election between economy and liberty, or profusion and servitude.

Mr. President and Members of the Senate, these statements by these two great Americans are even more important for us today than when they were first spoken. They apply to the relationship of the American people to their Government. And they apply with equal force to the relationship of the whole United States to the peoples and governments of other countries.

It is quite apparent, as I have been predicting for some time, that the so-called cold war is shifting from the military to the economic front. As champion and rallying point for the free world, we are going to have to meet cold war economic competition. We certainly cannot do so unless our own financial house is in order.

A sneak attack on the dollar is just as dangerous as a surprise missile attack, and is already under way.

Neglect to accomplish a balanced budget could be as fatal to the future of this country as actual aggression resulting from neglect of our Military Establishment.

It is my belief that this joint resolution recognizes this, and offers us a simple and clear-cut position in regard to future fiscal integrity and responsibility.

Mr. President, I ask unanimous consent that the text of the joint resolution be printed in the RECORD.

The PRESIDING OFFICER (Mr. NEUBERGER in the chair). The resolution will be received and appropriately referred; and, without objection, the text of the

joint resolution will be printed in the RECORD.

The joint resolution (S.J. Res. 99) proposing an amendment to the Constitution of the United States relative to the balancing of the budget, introduced by Mr. BRIDGES, for himself, Mr. BYRD of Virginia, and Mr. CURTIS, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is hereby proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States:

"ARTICLE ——

"SECTION 1. On or before the fifteenth day after the beginning of each regular session of the Congress, the President shall transmit to the Congress a budget which shall set forth his estimate of the receipts of the Government, other than trust funds, during the ensuing fiscal year under the laws then existing and his recommendations with respect to expenditures to be made from funds other than trust funds during such ensuing fiscal year, which shall not exceed such estimate of the receipts. The President in transmitting such budget may recommend measures for raising additional revenue and his recommendations for the expenditure of such additional revenue. If the Congress shall authorize expenditures to be made during such ensuing fiscal year in excess of such estimate of the receipts, it shall not adjourn for more than three days at a time until such action has been taken as may be necessary to balance the budget for such ensuing fiscal year. In case of war or other grave national emergency, if the President shall so recommend, the Congress by a vote of three-fourths of all the Members of each House may suspend the foregoing provisions for balancing the budget for periods, either successive or otherwise, not exceeding one year each.

"SEC. 2. This article shall take effect on the first day of the calendar year next following the ratification of this article.

"SEC. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission to the States by the Congress."

INTERNATIONAL ARRANGEMENTS FOR APPREHENSION AND TRIAL OF FUGITIVE HEADS OF STATES

Mr. LONG. Mr. President, one of the reasons why our Nation's prestige throughout the world has declined has been Communist successes in picturing the United States as a supporter of dictatorships and tyrants around the world. Everyone knows that in a great number of cases we have no choice about dealing with governments. In some cases, heads of state of Nations associated with us do not permit democratic processes to function freely. Nevertheless, this Nation should make clear that although we are compelled by force of circumstances to recognize certain dictatorships, we have no desire to protect any dictator or fugitive tyrant from retribution at the hands of those whom he may have offended. One way that this Nation can make clear that we do not propose to grant sanctuary to the Batistas, Jimenezes, Perons, Farouks, Bao Dais, and others is to adopt the fugitive dictator resolution which I am submitting today.

This proposal would direct American foreign policy toward an arrangement of international compacts under which we would seek to obtain agreement that all Nations of the earth would cooperate in seeing that fugitive dictators would become accountable for the crimes they had visited upon the peoples of their countries. It would be the duty of every nation and its nationals to make fugitive tyrants available for trial before a fair and impartial tribunal. It would be necessary to constitute some sort of international court, perhaps under the auspices of the United Nations, in order to assure a fair trial in situations in which feelings run extremely high. I have in mind, for example, the type of situation which would exist if Castro had an opportunity to try Batista. It would offer a more reasonable and certainly a better assurance of fairness if Castro were permitted to present his witnesses at a trial conducted, for example, in New York City or at Geneva, the Hague, or some other appropriate forum.

The brother of our President, Dr. Milton Eisenhower, has suggested that our Nation might improve its stature with free peoples of Central and South America by offering a cool handshake to a dictator and a warm friendly hug to a respectable democratic leader. Such a suggestion seems impractical, to me. The facts of life are such that we are compelled to deal with a considerable number of heads of state whose measures of oppression we cannot approve.

It seems better to me that we should simply make clear that such people will be available for trial whenever their people oust them from power. Such an arrangement should also seek to guarantee that such people should not be permitted to enjoy vast amounts of wealth which they may have converted into dollars or gold, with the exception of a minimal amount needed to provide their basic circumstances. Such persons should be required to remit the remainder to the people they have robbed. That would be in accord with basic democratic concepts of justice.

Democratic peoples who pay for foreign-aid programs dislike to see their funds alternately used to enable dictators and fugitive tyrants to "live it up" on the Isle of Capri or the French Riviera; and they dislike the type of international activity which makes it possible for the Communists to lay the sins of Bao Dai at the doorstep of devoted democratic nations.

The measure which I am submitting would, if pursued, bring goodwill to the American people. It could bring additional respect to our foreign policy. This would solve a complicated problem which some of us have considered for some time.

Mr. President, I submit the resolution, and request its appropriate reference.

The resolution (S. Res. 125), submitted by Mr. LONG, was referred to the Committee on Foreign Relations, as follows:

SENATE RESOLUTION 125

Whereas the ousted ruler or head of state of a country frequently escapes trial for crimes with which he is charged under the laws of that country by the simple expedient of fleeing to another country and obtaining sanctuary therein;

Whereas a fugitive ruler or head of state should not be allowed to escape an accounting to his own people for his actions in high office; and

Whereas if conditions are such in the country from which an ousted ruler or head of state has fled that he could not obtain a fair trial in that country, procedures should be established for trial before an appropriate international tribunal;

Whereas this Nation should not, as a matter of justice or of sound national policy, allow itself to become a haven for, and the protector of, discredited rulers; and

Whereas this Nation should cooperate with other nations to the end that a rule of law replace the "flight to sanctuary" as the dominant factor in this area of international life: Now, therefore, be it

Resolved, That it is the sense of the Senate that the President, through such diplomatic channels as are available to him, should explore with other nations the possibility of entering into international arrangements for the apprehension and trial of fugitive heads of state who are charged with crimes against the laws of the countries from which they have departed in a manner which will insure fair treatment to the accused.

DISTRICT OF COLUMBIA APPROPRIATION BILL—MODIFICATION OF NOTICES TO SUSPEND THE RULE

Mr. MORSE. Mr. President, I ask unanimous consent to modify the notices for suspension of the rules in connection with the District of Columbia appropriation bill submitted on Friday, May 22, 1959, to correct certain clerical errors in the amounts set out in the notices.

My request has been made after consultation with the Parliamentarian.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOTICES OF MOTION TO SUSPEND THE RULE—AMENDMENT TO TREASURY, POST OFFICE APPROPRIATION BILL, 1960

Mr. CLARK (for himself, Mr. HART, Mr. WILLIAMS of New Jersey, Mr. BARTLETT, Mr. PROXMIRE, Mr. MORSE, Mr. SYMINGTON, Mr. MCCARTHY, Mr. CHURCH, Mr. MCNAMARA, and Mr. CARROLL) submitted the following notice in writing:

In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move (on behalf of myself, Mr. HART, Mr. WILLIAMS of New Jersey, Mr. BARTLETT, Mr. PROXMIRE, Mr. MORSE, Mr. SYMINGTON, Mr. MCCARTHY, Mr. CHURCH, Mr. MCNAMARA, and Mr. CARROLL) to suspend paragraph 1 of rule XVI for the purpose of proposing to the bill (H.R. 5805) the Treasury-Post Office Appropriation Act, 1960, the following amendment, namely:

On page 3, line 23, strike out "$364,631,000" and insert in lieu thereof "$367,432,000".

Mr. CLARK (for himself, and Senators HART, WILLIAMS of New Jersey, BARTLETT, PROXMIRE, MORSE, SYMINGTON, MCCARTHY, CHURCH, MCNAMARA, and CARROLL) also submitted an amendment, intended to be proposed by them, jointly, to House bill 5805, making appropriations for the Treasury and Post Office Departments, and the Tax Court of the United States for the fiscal year ending June 30, 1960, and for other purposes, which was ordered to lie on the table and to be printed.

(For text of amendment referred to, see the foregoing notice.)

Mr. CLARK submitted the following notice in writing:

In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 1 of rule XVI for the purpose of proposing to the bill (H.R. 5805) the Treasury-Post Office Appropriation Act, 1960, the following amendment, namely:

On page 3, line 3, strike out "$364,631,000" and insert in lieu thereof "$377,100,000".

Mr. CLARK also submitted an amendment, intended to be proposed by him, to the bill (H.R. 5805) making appropriations for the Treasury and Post Office Departments, and the Tax Court of the United States for the fiscal year ending June 30, 1960, and for other purposes, which was ordered to lie on the table and to be printed.

(For the text of amendment referred to, see the foregoing notice.)

CIVIL RIGHTS ACT OF 1959—AMENDMENT

Mr. JAVITS (for himself and Mr. LAUSCHE), submitted an amendment, intended to be proposed by them, jointly, to the bill (S. 499) to establish a Community Relations Service to provide conciliation assistance in communities where disagreements or difficulties among citizens are disrupting, or are threatening to disrupt, the peaceful life of the community; to extend the Commission on Civil Rights; to provide further means of securing and protecting the right to vote; and for other purposes, which was referred to the Committee on the Judiciary and ordered to be printed.

AMENDMENT OF CHAPTER 73, TITLE 18, UNITED STATES CODE, RELATING TO OBSTRUCTION OF COURT ORDERS—AMENDMENTS

Mr. JAVITS submitted amendments, intended to be proposed by him, to the bill (S. 955) to amend chapter 73 of title 18, United States Code, with respect to obstruction of court orders, which were referred to the Committee on the Judiciary and ordered to be printed.

AMENDMENT OF FAIR LABOR STANDARDS ACT OF 1938, RELATING TO COVERAGE FOR CERTAIN EMPLOYEES—AMENDMENTS

Mr. LONG. Mr. President, since the introduction of Senate bill 1046, which proposes to amend the Fair Labor Standards Act of 1938 to extend coverage under the act and increase the minimum wage from $1 to $1.25, I have been studying the effect this measure would have on the various categories of employees that are presently exempted from the provisions of the act. I have become convinced that the effect this bill would have upon the operation of our hospitals would be detrimental to the public welfare, and, accordingly, I am proposing amendments that would permit employees of hospitals to retain their present exempt status with respect to this act.

In making this study, I have been impressed with the fact that many of our hospitals are operated by people who, motivated by deep religious principles, are devoting their lives to the services of Almighty God and have chosen the care of the sick as their lifework. These hospitals are nonprofit and depend largely on this volunteer service for their existence.

In contacting a number of the hospitals in my State of Louisiana, I have found that the inclusion of their employees under the provisions of this act would cause the operating costs of these hospitals to increase in an unwarranted amount, necessitating the passing along of this increase to the patients, many of whom are not in financial position to pay the increased rate that would result therefrom.

My studies have revealed the following increases with respect to some of our outstanding Louisiana hospitals:

St. Francis Cabrini Hospital, Alexandria, La.: $189,000 annual increase or 38 percent.

Oschner Clinic, New Orleans, La.: $700,000 annual increase or 30 percent.

Baptist Hospital, Alexandria, La.: $360,000 annual increase or 38½ percent.

Schumpert Hospital, Shreveport, La.: $340,826 annual increase or 35 percent.

Lafayette Sanitarium, Lafayette, La.: $144,000 annual increase or 43 percent.

Touro Infirmary, New Orleans: $700,000 annual increase.

Southern Baptist Hospital, New Orleans: $700,000 annual increase.

Baton Rouge General Hospital, Baton Rouge: $492,000 annual increase.

In some instances, the administrators of these hospitals indicated that it would be necessary to increase their rates by some $5 a day if the exempt status of the hospital employees was removed. I am convinced that this sharp increase in the cost of operating these hospitals, with the subsequent increase in the cost of hospitalization, would result in the loss of much of the progress that has been made in recent years toward improving the health of the people of this country. This sharp increase would undoubtedly cause a sharp rise in group hospitalization rates and would no doubt result in the cancellation of many contracts that presently exist, as well as serving as a strong deterrent to the issuance of new contracts in low salary areas where this protection is urgently needed.

In view of the indicated effect that Senate bill 1046 would have on our hospitals, I strongly urge that my amendments be adopted and that these institutions be permitted to retain their present exemption with respect to the Fair Labor Standards Act.

The PRESIDING OFFICER. The amendments will be received, printed, and referred to the Committee on Labor and Public Welfare.

AMENDMENT OF REFUGEE RELIEF ACT OF 1953—AMENDMENTS

Mr. SALTONSTALL (for himself and Mr. KENNEDY) submitted amendments, intended to be proposed by them, jointly, to the bill (S. 1441) to amend the Refugee Relief Act of 1953, as amended, to provide a certain number of visas for persons of Armenian ethnic origin, which were referred to the Committee on the Judiciary and ordered to be printed.

AMENDMENT OF MUTUAL SECURITY ACT—AMENDMENTS

Mr. SMATHERS submitted amendments, intended to be proposed by him, to the bill (S. 1451) to amend the Mutual Security Act of 1954, as amended, which were referred to the Committee on Foreign Relations and ordered to be printed.

AMENDMENT OF MUTUAL SECURITY ACT OF 1954—AMENDMENTS

Mr. MORSE. Mr. President, I submit amendments to the mutual security bill, S. 1451, and ask that they be printed and appropriately referred. The amendments seek to reduce substantially the amount for military authorization for Latin America. I also ask unanimous consent that the amendments be printed at this point in the RECORD.

The PRESIDING OFFICER. The amendments will be received, printed, and referred to the Committee on Foreign Relations; and, without objection, the amendments will be printed in the RECORD.

The amendments are as follows:

On page 1, after line 10, insert "Section 105(b)(4) of that Act is amended by adding the following sentence: 'No military assistance may be furnished to the Dominican Republic and Paraguay'."

On page 1, after line 10, insert:

"Section 105(b)(4) of that Act is amended by adding the following sentence: 'Military assistance to Latin America in the fiscal year 1960 shall not exceed $50,000,000, and the differences between that value and the $96,500,000 requested by the President for fiscal year 1960 shall be transferred from the military assistance account to the special assistance account (sec. 400(a)) and shall be available under the terms of that section only to promote economic development in Latin America'."

PROPOSED CIVIL RIGHTS LEGISLATION TO MAKE LYNCHING A FEDERAL CRIME—AMENDMENTS

Mr. JAVITS. Mr. President, I am today submitting amendments to the proposed civil rights legislation which would make lynching a Federal crime. I refer to the proposed civil rights legislation recommended by the administration, and the measures introduced by the

majority leader, the Senator from Texas, [Mr. JOHNSON].

The announcement yesterday by Attorney General Rogers that the FBI was being withdrawn from the search for the slayers of Mack Charles Parker in Poplarville, Miss., because the Federal Government did not have jurisdiction over this crime once again reemphasizes the critical need for a Federal antilynch law.

At the present time, there are only two Federal statutes under which the Federal Government could prosecute the killers—the Lindbergh kidnaping law where the victim has been transported across State lines and the Civil Rights Act of 1871 which permits Federal prosecution only if State officials are involved in the commission of the crime. The tragic inadequacy of these statutes may well be in part responsible for the insolent disdain for law and order which was displayed by this lynch mob, the same disrespect of law which is typical of the fanatics who have shamelessly bombed private homes, houses of worship, schools and places of business in the course of opposition to the desegregation of the South's public schools.

The assertion that this killing of a Negro prisoner in the South was the first such incident in some years does not negate the basic obligation of the Federal Government to guarantee equal protection of the laws to every citizen. In the Parker case, Attorney General Rogers has said that it is now a "clearly established" fact that a mob lynched this prisoner, but that "no other Federal prosecution" could be successfully maintained, demonstrating conclusively the need for a Federal antilynch law.

The constitutional duty imposed on the Federal Government by the Bill of Rights and the 14th amendment was the basis for the Civil Rights Act of 1957 and of subsequent civil rights proposals introduced in the Congress. At the beginning of this session, the Senate majority leader contended that a meaningful change was made in rule XXII of the Senate which allows filibusters against civil rights bills. Later the administration by the minority leader, Senator DIRKSEN, myself and others, a group of Senators including Senators DOUGLAS, HUMPHREY, CASE of New Jersey, and myself, and the majority leader, Senator JOHNSON, introduced three separate civil rights bills. It is to the administration proposals and the Johnson bill that I am filing the same antilynch amendment. These major legislative packages contain criminal sections and it is therefore most appropriate that they should also include additional provisions to deal with this most tragic, most violent crime of lynching.

Therefore, I am today submitting an amendment to S. 499, proposed by Senator JOHNSON, and S. 755, part of the administration package, to make it a Federal crime for anyone to conspire to deprive any person—either directly or indirectly—of his right to a fair trial or his right not to be deprived of life, liberty or property except by due process of law or for any Federal or State official who fails to carry out his duty to prevent such lawlessness.

It would carry the following penalties: Violators could be fined up to a maximum of $1,000 or a year in prison, or both. Should the violation result in serious injury or death, the maximum punishment is a maximum fine of $10,000 or up to 20 years' imprisonment, or both. In addition, any official who fails to carry out his duty to prevent such crime may be fined up to $5,000 or imprisoned not more than 5 years, or both.

To clarify the fact that Federal jurisdiction exists in such cases—even though the crime is committed within the borders of a single State—the amendments contain the following congressional finding:

(a) The Congress finds that willful interference with, or obstruction of any process or proceeding of a State or territory or political subdivision thereof, for the apprehension, confinement, trial and punishment of any person charged with a crime or held for investigation or as a material witness, through acts or threats of force by persons not acting under lawful authority constitutes a deprivation of rights, privileges and immunities guaranteed to such person by the Constitution of the United States, including such person's right not to be deprived of life, liberty, or property without due process of law. The Congress further finds that such interference or obstruction threatens the administration of justice of the several States and thereby imperils their republican form of government which, under the Constitution of the United States, it is the obligation of the United States to guarantee.

In the Mack Charles Parker case, the Governor of Mississippi has clearly gone on record in support of the entrance of the FBI into the case in his State; according to the New York Times report, he said:

I want to thank the FBI for a thorough investigation and for making the results available for State action at the local level.

It is reported that the Governor will now have the case presented to the next regular county grand jury which is scheduled to meet in November. The American people and our friends abroad will not forget what happened in April in Poplarville. I earnestly hope that lawful action by the local people in this community will serve the ends of justice, but there is the Federal Constitution and there are Federally granted rights to be vindicated here, too.

Lynching is a Federal crime in the sense that it involves the national interest, and I deeply feel that the national interest should be protected, and that we should take the opportunity to protect it in connection with the first civil rights bill to come before us.

The majority leader, by personal leadership, put through what he considered to be a meaningful change in rule XXII of the Senate, which permitted filibusters against civil rights bills. I think we have a right to expect that we shall have a civil rights bill before us at this session. What has happened in Poplarville only underlines and reemphasizes the urgent need for such legislation.

The PRESIDING OFFICER. The amendments will be received, printed, and lie on the table.

THE NEED FOR INCREASE IN ENFORCEMENT PERSONNEL AT INTERNAL REVENUE SERVICE—AMENDMENTS

Mr. CLARK. Mr. President, on Thursday of this week the Senate will have before it for consideration the annual Treasury and Post Office Department appropriation bill. I have sent to the desk three amendments which I propose to offer in connection with that bill. They deal with the subject matter of the number of Internal Revenue enforcement personnel it is desirable to make provision for.

In order that my colleagues may understand the substance of the case I shall make on Thursday in support of those amendments, I ask unanimous consent to have printed at this point in the RECORD a memorandum which I have caused to be prepared, entitled "Internal Revenue Service in Need of Substantial Increase of Enforcement Personnel," and a very moving letter which I have received, entirely unsolicited, from Mr. Emil K. Melin, a former employee of the Internal Revenue Service, pointing out the drastic need for additional enforcement personnel to provide relief from the widespread chiseling and illegal evasion of taxation which is apparent all over the country.

There being no objection, the memorandum and letter were ordered to be printed in the RECORD, as follows:

MEMORANDUM—INTERNAL REVENUE SERVICE IN NEED OF SUBSTANTIAL INCREASE OF ENFORCEMENT PERSONNEL

There is a clear and pressing need for a substantial increase in the number of enforcement personnel in the Internal Revenue Service in addition to the new personnel for whom funds were requested in the budget for fiscal 1960.

(1) Personnel cuts by the Eisenhower administration and the Republican 80th Congress: The Eisenhower administration has cut the number of employees of the Internal Revenue Service by 3,000. In fiscal 1958, the total number of enforcement personnel in the Internal Revenue Service numbered 23,712—3,076 less than in 1952, although 10 percent more tax returns were filed in 1958 than in 1952, and total Internal Revenue collections had increased by $15 billion. This cut was preceded by a 7,000-man reduction of IRS personnel under the Republican-controlled 80th Congress in 1947. Thus, in 1958 there were about 9,000 fewer employees of the IRS than in 1946.

(2) Decreased deficiencies assessed: The statistics shown on the attached sheet indicate how costly the personnel slash put into effect by the Eisenhower administration has been in terms of deficiencies assessed. During the first 6 years of this administration, Internal Revenue collections from an ever-increasing number of returns filed averaged $27 billion more than during the last 6 years of the Truman administration. Nevertheless, the average annual amount of tax deficiencies assessed has been $320 million less during the 6 Eisenhower years than during the 6 Truman years.

(3) Present personnel insufficient: Existing personnel cannot process adequately the increasing tide of tax returns. In fiscal 1958, the enforcement section of the IRS was able to audit only 2.6 million, or 3 percent, of the 93.5 million returns filed. (House hearings, p. 427). In the same year, only 63.2 million, or 68 percent, of the returns filed were even

verified mathematically, although this mechanical processing led to a net increase in tax liability of $61.8 million. Commissioner Latham stated, "We do not even have enough people to do mathematical verification of returns * * * and we are falling further behind as the number of returns filed increases (Senate hearings, p. 73).

(4) Amount of untaxed incomes: Commissioner Latham described the number of people who are simply not filing returns as "amazing" (House hearings p. 457). He estimated that the amount of taxable income not being taxed amounted to $25 billion or $26 billion per annum (Senate hearings, p. 78).

The results of a special audit by Internal Revenue Service of 36,000 representatives returns for 1949 were published recently. The audit indicated that a similar examination of 6.7 million business and professional returns for that year would have increased the aggregate net profit, less net loss reported on such returns, by 20 percent and yielded $2.7 billion of additional taxable income.

(5) High yield for additional personnel: Existing personnel were able to collect $1.5 billion from the 2.6 million audits performed in fiscal 1958 (House hearings, p. 457).

Commissioner Latham has estimated that even during the first year of employment, a new revenue enforcement official can be expected to collect $9 of otherwise uncollected revenue for every $1 spent to employ him, and in subsequent years of employment, the ratio is estimated to be about 13 to 1 (House hearings, p. 456). Other Treasury officials have estimated that the ratio is as high as 20 to 1 (House hearings, p. 50).

(6) Administration proposals insufficient: The administration asked for an appropriation of $3.6 million in the 1960 budget to permit the hiring of 726 new enforcement personnel, including 100 revenue agents, 100 revenue officers, 50 office auditors, and 35 auditors' clerks (at an average cost of $4,927 per person). The increase in enforcement personnel requested in the budget was described by Secretary Anderson as an absolute minimum (Senate hearings, p. 37) and extremely moderate from the standpoint of the Service's ability to recruit, train and assimilate into the organization well-qualified men (Senate hearings, p. 11).

Commissioner Latham admitted that the Service had not asked for as many persons as it could use (Senate hearings, p. 80), and there is evidence that the Service's original request for funds for personnel was cut down substantially by the Bureau of the Budget (e.g., Internal Revenue Service asked for 96 more new revenue agents and for $1.9 million more funds for new personnel than were finally approved by the Budget and requested by the administration).

It would be observed that the additional employees requested would only bring the enforcement section of the Service about one-quarter of the way back to its 1952 strength.

RECOMMENDATION

It is recommended that $11.6 million be added to the appropriation for Internal Revenue Service for fiscal 1960 to provide funds for an increase in enforcement personnel of 2,350 persons in addition to the funds requested by the administration to permit the employment of 726 new enforcement personnel.

Such appropriation would bring the enforcement section up to its 1952 strength, which is patently necessary in view of the increase in the number of returns filed and indications of widespread nonreporting and overstatement of deductions and exemptions. If the ratios used by the Treasury to estimate increased revenues to be gained from the appropriation requested for additional personnel are applied, the appropriation of $11.6 million for new personnel in addition to the sums asked for in the budget would yield $105 million in public revenues in fiscal 1960 and $150 million in later years for similar appropriations.

It should be emphasized, however, that these estimates of increased public revenues from increased appropriation for enforcement personnel are generally acknowledged to be conservative. If the additional funds recommended were used primarily for the employment of additional revenue agents and office auditors to permit more audits of large and complex business and professional returns, the increase in taxable income might be expected to approximate more closely the much higher figures indicated by the special 1949 audit referred to above: a $2.7 billion rise in taxable income. Even if this increase were not fully achieved, the increase in public revenue might reasonably be expected to increase Treasury receipts to a much greater extent than indicated above.

Period	Income tax returns	Internal revenue collections	IRS enforcement personnel	IRS total personnel	Deficiencies assessed	
					Excess profits	Total
	Millions	*Billions*	*Average number*	(59,693)	*Millions*	*Millions*
(1946)						
1947	54.3	$39.1	25,788	52,830	$451.3	$1,928.6
1948	54.9	41.9	20,655	52,143	484.9	1,897.0
1949	53.3	40.5	22,454	52,266	561.7	1,891.7
1950	51.7	39.0	24,775	55,551	325.9	1,747.6
1951	52.4	50.4	26,380	55,805	280.9	1,856.6
1952	54.6	65.0	26,788	56,309	202.0	1,840.2
Average	53.5	46.0	24,473			1,860.3
1953	58.5	69.7	24,455	53,463	156.7	1,556.0
1954	58.5	69.9	24,551	51,411		1,441.6
1955	57.6	66.3	23,984	50,890		1,478.9
1956	57.9	75.1	24,027	50,682		1,412.8
1957	59.5	80.2	23,935	51,364		1,663.2
1958	60.0	80.0	23,712	50,816		1,684.5
1959 (estimate)				50,750		
1960 (estimate)				51,250		
Average	58.7 (+5.2)	73.5 (+27.5)	24,277 (−196)			1,539.5 (−320.8)

Source: Annual Reports of the Commissioner of Internal Revenue.

ARLINGTON, VA., *May 12, 1959.*

Hon. JOSEPH S. CLARK,
U.S. Senate,
Washington, D.C.

In re: Increased appropriation for the Internal Revenue Service—particularly for more examining officers.

DEAR SENATOR CLARK: I hope you will personally read this letter and its enclosures.

I quote the following from the column of Mr. Jerry Kluttz in the Washington Post of April 19, 1959, captioned "Senators Give Help to Revenue Service":

"Internal Revenue is getting solid support for its full budget. A dozen Senators, headed by Senator JOSEPH S. CLARK, Democrat, of Pennsylvania, have called on the Senate Appropriations Committee to:

"Restore the $2.5 million cut from the Internal Revenue Service 1960 budget by the House; and

"Consider a substantial increase over the amount recommended by the President to provide stricter enforcement of the tax laws.

"CLARK and his colleagues are convinced that additional enforcement employees could collect up to $20 for every dollar of their cost. The Eisenhower administration, he added, had cut the Internal Revenue Service enforcement staff by 3,000 employees, an action he described as costly economy.

"If the House cut prevails, CLARK said Internal Revenue Service wouldn't be able to hire any of the 100 new revenue agents requested, only 35 of 204 office auditors, 35 of 50 new office collectors, and 26 of 35 audit clerks."

I am a 64-year-old retired supervisory official of the Washington office of the Internal Revenue Service, having retired August 31, 1953, after 30 years service, more than 25 of which were spent in a supervisory-administrative capacity.

During my career I made several suggestions which resulted in legislation improving administration of the tax laws.

But to get to the nub of the matter. During all the years I spent in the Internal Revenue Service, it was almost the unanimous opinion of the audit and technical personnel that enormous amounts of revenue were being lost to the U.S. Government through not having enough revenue agents—the men who go out and examine taxpayers' books and records.

It is my sincere and honest belief that just since 1948 at least $5 billion could have been collected had the force of revenue agents been adequate in number, or even reasonably adequate. (This amount would have been net after payment of salaries and expenses of such additional agents.)

The national debt could have been this much less.

This is not a self-serving statement on my part—for I am within a few weeks of 65 and never expect to work in the Internal Revenue Service again.

I am unable to understand the rather general indifference over the years of so many Members of Congress to this matter. After all, when we collect additional taxes from taxpayers we are not taking from them money which is theirs. It is not theirs. It is money they legally owe to their Government, and since the Government is in the final analysis all the people of the United States it is money they owe all of us. (I used the word "legally" owed. If any taxpayer thinks he does not legally owe a deficiency in income tax, he has recourse to the Tax Court of the United States, a tribunal established by the Congress almost 35 years ago. And I might add that until that body has passed on his case he does not even have to pay.)

I have learned that the new Commissioner of Internal Revenue, Mr. Dana Latham, seems to understand the problem. I certainly wish him success in any effort he may make to get more money for enforcement. And I appreciate the help that you and some other Members of the Congress are trying to give him.

Let us look at this matter of more revenue agents from a business point of view. The Federal Government needs more revenue. It may be that in a year or two it will be necessary to raise income tax rates. This would mean a little more from everyone. Wouldn't it be a little comfort if the tax burden could be lessened by a few hundred

million dollars a year? And this tidy sum would come, not from the hides of taxpayers who have already paid what they owe—and, thank God, a tremendous percentage are honest—but from those taxpayers who have not paid what they legally owe.

Mr. Kluttz, in his article to which I referred at the beginning of my letter, states that you and your colleagues are convinced that additional enforcement employees (revenue agents) could collect up to $20 for every dollar of their cost. I would go along with that. But say it was only $15—or even $10. Few businessmen would pass up anything like that—15 for 1, or 10 for 1.

As a start, I would advocate $25 million a year extra for more revenue agents.

As a student of the Federal Government for almost 40 years I know something of the complex legislative processes of the Congress and I realize that what I am about to say will seem rather naive. But I would like to see a resolution put to a vote—a record vote—in both Houses of Congress on the simple question: "Do you favor an additional appropriation of $25 million for the Internal Revenue Service for more revenue agents—to bring in additional income taxes of $300 million a year—additional taxes which would come from persons, or corporations, who legally owe them?"

As I am typing the last page of this letter, I wonder if it will accomplish anything. But I have a great pride in the Internal Revenue Service—I did spend almost half my lifetime in it—and so you have the letter.

With best good wishes, I am,

Respectfully,

EMIL K. MELIN.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. CLARK. I yield.

Mr. PROXMIRE. It seems to me that it would be extremely helpful, in view of the vital importance of the amendments which the Senator is to offer later, to place in the RECORD now some indication of the overall revenue consequences, the effect on the budget, and the effect on the ability of the Federal Government to provide services to the American people without deficit spending. I think it would be well to have in the RECORD a showing of the benefits which would flow from the amendments which the Senator from Pennsylvania is to offer.

Mr. CLARK. I thank my friend for the suggestion. The memorandum which I have submitted outlines the facts in some detail, and I shall develop them fully on Thursday.

Briefly, it may be said that there are varying estimates as to how much a real drive for enforcement, aided by additional and badly needed enforcement personnel would engender. My own view is that the result would be close to $1 billion. There will be those who say that that is a fantastic figure, but I believe I shall be able to support it on Thursday. The new Collector of Internal Revenue, Mr. Latham, testified before the Senate committee a few weeks ago that each new enforcement agent placed upon the payroll would yield $9 the first year for every dollar he would cost the Federal Government; and $13 in the second year and each year thereafter.

He also estimated that between $20 billion and $30 billion of revenue subject to tax is not presently even being reported.

One can build this pyramid up to what seems to be an incredible extent. I have no hesitation whatever in saying that an increase in the number of Internal Revenue agents and enforcement personnel generally, well within the capability of the Internal Revenue Service to absorb and train, could not fail to net the Federal Government several hundred millions of dollars in the next fiscal year.

Mr. PROXMIRE. Is it not true also that in the past 6 years—and perhaps in the past 10 years—the number of enforcement personnel in the Internal Revenue Service has been sharply reduced?

Mr. CLARK. The 80th Congress cut 9,000 from the total personnel of the Internal Revenue Service. An additional 3,076 have been cut from the personnel of the Enforcement Service since 1952.

The purpose of one of my amendments is to restore the personnel to the level which existed when President Truman left office.

Mr. PROXMIRE. Is it not also true that the number of returns and the amount of personal income taxed have both substantially increased since the 80th Congress?

Mr. CLARK. The Senator is correct. I do not carry in my head the exact figures. They are set out in the memorandum which I have offered for the RECORD. However, it is equally notable that the amount of deficiency assessment has declined substantially, notwithstanding the fact that the total volume of collections has greatly increased.

Mr. PROXMIRE. Is it not also true that a very substantial number of returns receive only a summary office check to see if the mathematics are accurate?

Mr. CLARK. Only 3 percent of the total number of income tax returns now being filed—60 million returns—are being currently audited. It may be said that there is such a large volume of small returns that the figure of 3 percent is somewhat deceptive. However, there is testimony in the RECORD from the predecessor of the present Collector of Internal Revenue, a gentleman who resigned only last year, and who was an Eisenhower appointee, to the effect that because of the shortage of personnel only 10 percent of the returns which should be audited are being audited.

Mr. PROXMIRE. Is it not true that the auditing would result in the recovery of millions of dollars more than the cost of such auditing?

Mr. CLARK. It would result in the recovery of a sum far in excess of the cost of the auditing. The Senator is correct.

Mr. PROXMIRE. Is it not also true that the effect of such amendments would be merely to recover for the Federal Government moneys to which the Federal Government is legally entitled?

Mr. CLARK. The Senator is correct.

Mr. PROXMIRE. Is it not true that under the present arrangement it is obvious that the honest taxpayer who pays his taxes in full is now being unjustly hurt and discriminated against, and that one effect of the Senator's amendments would be to safeguard and protect him, and see that all citizens pay their lawful taxes?

Mr. CLARK. The Senator is correct.

I believe the indirect effect of adopting the amendments would be even greater than the direct effect. Word would get out that there was to be a real enforcement effort to require Americans to pay the income taxes which they owed. I am sure this would substantially cut down chiseling.

From where I sit, the present benefit of the amendments which I shall offer on Thursday would be to come within measurable distance of balancing the Federal budget, while at the same time enabling the Federal Government to make the appropriations necessary for national security and to continue a first class America on the domestic front. I do not pretend that these amendments alone would accomplish that purpose; but taken in conjunction with the proposals sponsored last week by the Senator from Wisconsin, the Senator from Minnesota [Mr. MCCARTHY], the Senator from Illinois [Mr. DOUGLAS], and myself, in my judgment they would provide more than enough money to balance the budget and enable us to be sure that our national defense was adequately provided for, and that our domestic economy would not grind to a stop. Also, the public sector of our economy would receive the funds' needs to enable it to eliminate existing obsolescence. It is conceivable that, having done so, we would be able to make a substantial payment on the national debt, without in any way raising the general level of taxation.

I thank my friend for his helpful interjections.

The PRESIDING OFFICER. The amendments will be received, printed, and lie on the table.

COMMISSION ON INTERGOVERNMENTAL RELATIONS — ADDITIONAL COSPONSOR OF BILL

Mr. MUSKIE. Mr. President, I ask unanimous consent that the name of the Senator from California [Mr. ENGLE] may be added as an additional cosponsor of the bill (S. 2026) to establish an Advisory Comission on Intergovernmental Relations, introduced by me, for myself, and other Senators, on May 21, 1959.

The PRESIDING OFFICER. Without objection, it is so ordered.

AGREEMENT WITH GOVERNMENT OF FRANCE FOR COOPERATION ON USES OF ATOMIC ENERGY FOR MUTUAL DEFENSE PURPOSES

Mr. PASTORE. Mr. President, on May 19, 1959, the President submitted to the Congress a proposed agreement between the United States and the Government of France for cooperation on the uses of atomic energy for mutual defense purposes. On that same day the President also submitted to the Congress a proposed amendment to an existing agreement between the United States and the United Kingdom for cooperation on the uses of atomic energy for mutual defense purposes.

The Atomic Energy Act of 1954, as amended by Public Law 85–479, approved July 2, 1958, requires that proposed agreements for cooperation involving exchange of atomic energy information or material for military purposes must be subjected to congressional review prior to becoming effective with the right of Congress to disapprove. Under section 123d. of the Atomic Energy Act of 1954, as amended, no cooperation with another nation can be undertaken until—

The proposed agreement for cooperation, together with the approval and determination of the President, if arranged pursuant to subsection 91c., 144b., or 144c., has been submitted to the Congress and referred to the Joint Committee and a period of 60 days has elapsed while Congress is in session, but any such proposed agreement for cooperation shall not become effective if during such 60-day period the Congress passes a concurrent resolution stating in substance that it does not favor the proposed agreement for cooperation.

Section 123d. of the Atomic Energy Act of 1954, as amended, thus specifically gives Congress a share in the responsibility for these important types of agreements.

The Subcommittee on Agreements for Cooperation, of which subcommittee I am chairman, will hold hearings on the two proposed agreements submitted by the President after which the subcommittee will make its report to the full committee which, in turn, will report to Congress its recommendation.

It has been my practice in the past to introduce into the CONGRESSIONAL RECORD the text of proposed agreements in order to make available to all Members of Congress specific knowledge of the agreements so that Members in addition to those of the Joint Committee will have the necessary information to fulfill their responsibilities.

I, therefore, ask unanimous consent to have printed in the body of the RECORD the text of the proposed agreement for cooperation with France and the proposed amendment to the agreement for cooperation with the United Kingdom together with the accompanying recommendations of the Department of Defense, the State Department, and the Atomic Energy Commission, and the written approval of the President.

There being no objection, the matters were ordered to be printed in the RECORD, as follows:

AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE REPUBLIC OF FRANCE FOR COOPERATION ON THE USES OF ATOMIC ENERGY FOR MUTUAL DEFENSE PURPOSES

The Government of the United States of America and the Government of the Republic of France,

Considering that their mutual security and defense require that they be prepared to meet the contingencies of atomic warfare;

Considering that they are participating together in international arrangements pursuant to which they are making substantial and material contributions to their mutual defense and security;

Recognizing that their common defense and security will be promoted by the transfer by the Government of the United States to the Government of the Republic of France of enriched uranium for use in the development and operation of a land based prototype submarine nuclear propulsion plant;

Believing that such transfer can be undertaken without risk to the defense and security of either country; and

Taking into consideration their respective laws in this matter and, in particular, concerning the United States, the Atomic Energy Act of 1954, as amended, which was enacted with these purposes in mind,

Have agreed as follows:

ARTICLE I

General provision

While the Government of the United States and the Government of the Republic of France are participating in an international arrangement for their mutual defense and security and making substantial and material contributions thereto, the Government of the United States will transfer by sale to the Government of the Republic of France agreed amounts of U–235 contained in uranium enriched up to ninety percent (90%) in the isotope U-235 for use in the development and operation of a land based prototype submarine nuclear propulsion plant, in accordance with the provisions of this Agreement, provided that the Government of the United States determines that such transfers will promote, and will not constitute an unreasonable risk to, its defense and security.

ARTICLE II

Transfer of enriched uranium

A. Pursuant to Article I hereof the Government of the United States will transfer by sale agreed amounts of U-235 contained in uranium enriched up to ninety percent (90%) in the istotope U-235, as needed for use in the development and operation of a land based prototype submarine nuclear propulsion plant, during the ten (10) years following the date of entry into force of this Agreement, on such terms and conditions as may be agreed. The net amount of any uranium transferred hereunder during such period shall not exceed four hundred forty (440) kilograms of contained U-235 except that the net amount of U-235 contained in uranium enriched to more than twenty percent (20%) in the isotope U-235 shall not exceed three hundred (300) kilograms; the net amount shall be the gross quantity of contained U-235 in uranium transferred to the Government of the Republic of France during such period less the quantity of contained recoverable U-235 which has been resold or otherwise returned to the Government of the United States during such period. If the Government of the Republic of France so requests, the Government of the United States will, during such period, authorize the conversion in private facilities in the United States of UF_6 to metal or other forms, as may be agreed, from the enriched uranium transferred under this Agreement.

B. If the Government of the Republic of France so requests, the Government of the United States will during such ten year period on terms and conditions to be agreed, reprocess any material transferred under this Agreement in facilities of the Government of the United States, if the reprocessing of such material is technically feasible in said facilities, or authorize such reprocessing in private facilities in the United States. Enriched uranium recovered in reprocessing such materials by either Party may be purchased by the Government of the United States under terms and conditions to be agreed. Enriched uranium recovered in reprocessing such materials and not purchased by the Government of the United States shall be returned to or retained by the Government of the Republic of France and any U-235 not purchased by the Government of the United States will be credited to the amounts of U-235 to be transferred by the Government of the United States under this Agreement.

C. The Government of the United States shall be compensated for enriched uranium sold by it pursuant to this Article at the United States Atomic Energy Commission's published charges applicable to the domestic distribution of such material in effect at the time of the sale. Any purchase of enriched uranium by the Government of the United States pursuant to this Article shall be at the applicable price of the United States Atomic Energy Commission for the purchase of enriched uranium in effect at the time of purchase of such enriched uranium.

ARTICLE III

Responsibility for use of information and material

The application or use of any information or material communicated, exchanged or transferred under this Agreement shall be the responsibility of the Party receiving it, and the other Party does not provide any indemnity, and does not warrant the accuracy or completeness of such information and does not warrant the suitability of completeness of such information or material for any particular use or application.

ARTICLE IV

Conditions

A. Cooperation under this Agreement will be carried out by each of the Parties in accordance with its applicable laws.

B. Restricted Data shall not be communicated under this Agreement, and no materials shall be transferred under this Agreement in such form as would involve the communication of Restricted Data.

C. The enriched uranium transferred pursuant to this Agreement shall be used by the Government of the Republic of France exclusively in the development and operation of a land based prototype submarine nuclear propulsion plant in the preparation or implementation of defense plans in the mutual interests of the two countries.

ARTICLE V

Guaranties

The Government of the Republic of France guarantees that:

A. The safeguards provided in Article VI shall be maintained.

B. Any materials transferred pursuant to this Agreement shall not be transferred by the Government of the Republic of France, or persons under its jurisdiction, to any unauthorized persons, or transferred beyond the jurisdiction of the Government of the Republic of France except as the Government of the United States, pursuant to its laws, may agree to transfer of such material to another nation, and then only if in the opinion of the Government of the United States such transfer is authorized by an agreement for cooperation between the Government of the United States and the other nation.

ARTICLE VI

Safeguards

In order to assure use as provided in paragraph C of Article IV, the Parties shall have the same rights and obligations under this Agreement with respect to reactors, equipment and devices, and materials and their derivatives as they now have under Article X of the Agreement for Cooperation Concerning the Civil Uses of Atomic Energy between the Parties, signed at Washington on June 19, 1956, as amended by the Agreement signed on July 3, 1957, with respect to reactors, equipment and devices, and materials and their derivatives.

ARTICLE VII

Definitions

For the purposes of this Agreement:

A. "Restricted Data" means all data concerning (1) design, manufacture, or utilization of atomic weapons; (2) the production of special nuclear material; or (3) the use of special nuclear material in the production of energy, but shall not include data declassified or removed from the category of Restricted Data by the appropriate authority.

B. "Person" means:

1. any individual, corporation, partnership, firm, association, trust, estate, public or private institution, group, government agency or government corporation other than the United States Atomic Energy Commission and the French Commissariat for Atomic Energy; and

2. any legal successor, representative, agent or agency of the foregoing.

C. "Parties" means the Government of the United States and the Government of the Republic of France, including the United States Atomic Energy Commission on behalf of the Government of the United States and the French Commissariat for Atomic Energy on behalf of the Government of the Republic of France. "Party" means one of the above "Parties".

D. "Development and operation" shall be construed to include critical experiments required in the development and operation of a land based prototype submarine nuclear propulsion plant.

ARTICLE VIII

Duration

This Agreement shall enter into force on the date on which each Government shall have received from the other Government written notification that it has complied with all statutory and constitutional requirements for the entry into force of this Agreement, and shall remain in force until terminated by agreement of both Parties except that Article II of this Agreement shall terminate ten years following the entry into force of this Agreement.

In witness whereof, the undersigned, duly authorized, have signed this Agreement.

Done at Washington in duplicate in the English and French languages, both texts being equally authentic, this seventh day of May, 1959.

For the Government of the United States of America:

CHRISTIAN A. HERTER.

For the Government of the Republic of France:

HERVE ALPHAND.

Certified to be a true copy of the English text:

HALVOR O. EKERN,
Office of the Special Assistant to the Secretary for Atomic Energy, Department of State.

To the Congress of the United States:

Pursuant to the Atomic Energy Act of 1954, as amended, I am submitting herewith to each House of the Congress an authoritative copy in the English text of an agreement between the Government of the United States of America and the Government of the Republic of France for cooperation in the uses of atomic energy for mutual defense purposes. The agreement has been executed on May 7, 1959, by the Secretary of State on behalf of the Government of the United States, and by the Ambassador of France to the United States on behalf of the Government of the Republic of France.

To assist France in the development of a land-based prototype submarine propulsion plant, and in response to a request by France for U.S. cooperation in this field, our Governments have concluded this agreement whereby the United States will sell to France a quantity of enriched nuclear fuel for this purpose.

The agreement recognizes the relationship of this assistance to the mutual security of the two nations, and the contribution to joint defense arrangements which transfer of this material will make. As the result of discussions with the French, it has been determined that the amounts envisaged for sale to France should permit them to carry out the proposed project.

The transfer of the nuclear fuel under this agreement will be carried out in accordance with the Atomic Energy Act of 1954, as amended, and pursuant thereto I have determined that performance of this cooperation will promote and will not constitute an unreasonable risk to, the common defense and security of the United States. It will be noted that the agreement does not provide for the communication of restricted data.

I am also transmitting a copy of the Secretary of State's letter accompanying the text of the agreement, a copy of a joint letter from the Chairman of the Atomic Energy Commission and the Secretary of Defense recommending my approval of this agreement, and a copy of my memorandum in reply thereto setting forth my approval.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *May 19, 1959.*

(Enclosures: (1) Agreement between the Government of the United States of America and the Government of the Republic of France for cooperation in the uses of atomic energy for mutual defense purposes; (2) copy of Secretary of State's letter accompanying copies of the signed agreement; (3) copy of a joint letter from the Secretary of Defense and the Chairman of the AEC recommending my approval of the agreement; (4) a copy of my memorandum in reply thereto setting forth my approval.)

DEPARTMENT OF STATE,
Washington, May 7, 1959.

THE PRESIDENT,
The White House.

THE PRESIDENT: The undersigned, the Secretary of State, has the honor to submit to the President with a view to its transmission to the Congress, pursuant to the Atomic Energy Act of 1954, as amended, an agreement between the Government of the United States of America and the Government of the Republic of France for Cooperation on the Uses of Atomic Energy for Mutual Defense Purposes.

This agreement was signed on May 7, 1959, on behalf of the United States pursuant to the authorization granted in your memorandum of May 5, 1959, to the Secretary of Defense and the Chairman of the Atomic Energy Commission.

A copy of that memorandum was received by the Secretary of State from the President.

Respectfully submitted.

CHRISTIAN A. HERTER.

(Enclosure: Agreement between the Government of the United States of America and the Government of the Republic of France for Cooperation on the Uses of Atomic Energy for Mutual Defense Purposes.)

U.S. ATOMIC ENERGY COMMISSION,
Washington, D.C., May 2, 1959.

THE PRESIDENT,
The White House.

DEAR MR. PRESIDENT: The U.S. Atomic Energy Commission and the Secretary of Defense recommend that you approve the attached agreement between the Government of the United States of America and the Government of the Republic of France for Cooperation on the Uses of Atomic Energy for Mutual Defense Purposes. It is further recommended that you authorize the execution of this proposed agreement on behalf of the United States of America. The Secretary of State concurs in the recommendations herein.

The cooperation provided for in the agreement is authorized by the Atomic Energy Act of 1954, as amended by Public Law 85-479. The Republic of France is participating with the United States in an international arrangement pursuant to which the Republic of France is making substantial and material contributions to the mutual defense and security.

This agreement provides for the transfer by sale by the Government of the United States to the Government of the Republic of France during the period of 10 years following the date of entry into force of this agreement of agreed amounts of U^{235} contained in uranium enriched up to 90 percent in the isotope U^{235} as needed for use in the development and operation of a land based prototype submarine nuclear propulsion plant. The net amount of any uranium transferred under this agreement shall not exceed 440 kilograms of contained U^{235} except that the net amount of U^{235} contained in uranium enriched to more than 20 percent in the isotope U^{235} shall not exceed 300 kilograms. No restricted data or classified defense information shall be communicated under this agreement.

The transfer of enriched uranium for use in the development and operation of a land based prototype submarine nuclear propulsion plant is responsive to a specific request from the French Government and is for the purpose of assisting France in the development of a nuclear submarine capability in the French fleet.

The agreement provides that the Government of the Republic of France guarantees that materials transferred under this agreement shall be used exclusively in the development and operation of a land-based prototype submarine nuclear propulsion plant in the preparation or implementation of defense plans in the mutual interests of the two countries. Appropriate safeguards are contained in the agreement to assure such use. The agreement also contains a commitment that the Government of the Republic of France will not transfer any materials received pursuant to this agreement to unauthorized persons or beyond the jurisdiction of the Government of the Republic of France except as the Government of the United States, pursuant to its laws, may agree to transfer of such material to another nation and then only if in the opinion of the Government of the United States such transfer is authorized by an agreement for cooperation between the Government of the United States and the other nation.

This agreement, except for article II, shall remain in force until terminated by agreement of both parties thus assuring continued protection for materials transferred in accordance with the provisions of the agreement. Article II, providing for transfer of enriched uranium, shall terminate 10 years following the entry into force of the agreement.

In accordance with the provisions of section 91 of the Atomic Energy Act of 1954, as amended, the agreement specifically provides in article I that agreed amounts of enriched uranium will be transferred to the Government of the Republic of France only when the Government of the United States determines that such transfers will promote and will not constitute an unreasonable risk to its defense and security while the United States and France are participating in an international arrangement for their mutual defense and security and making substantial and material contributions thereto. Cooperation under article II of the agreement would be undertaken only when these conditions prevail.

It is the considered opinion of the Atomic Energy Commission and the Department of Defense that the performance of

the proposed agreement will promote and will not constitute an unreasonable risk to the common defense and security of the United States. Accordingly, it is recommended that you (1) approve the program as set forth herein and in the attached agreement, for the transfer of agreed amounts of enriched uranium; (2) determine that the performance of this agreement will promote and will not constitute an unreasonable risk to the common defense and security of the United States; (3) approve the proposed agreement for cooperation; and (4) authorize the execution of the proposed agreement for the Government of the United States by the Secretary of State.

Respectfully yours,

JOHN A. McCONE,
Chairman, Atomic Energy Commission.
APRIL 29, 1959.

DONALD QUARLES,
Secretary, Department of Defense.
MAY 2, 1959.

THE WHITE HOUSE,
Washington, May 5, 1959.

MEMORANDUM FOR THE SECRETARY OF DEFENSE; THE CHAIRMAN, ATOMIC ENERGY COMMISSION

In your joint letter of May 2, 1959, to me, you recommended that I approve a proposed agreement between the Government of the United States of America and the Government of the Republic of France for cooperation on the uses of atomic energy for mutual defense purposes.

France is participating with the United States in an international arrangement pursuant to which it is making substantial and material contributions to the mutual defense and security. The proposed agreement will permit cooperation necessary to assist France in the development of a nuclear submarine capability for defense plans in the mutual interests of the two countries, subject to provisions, conditions, guarantees, terms, and special determinations, which are most appropriate in this important area of mutual assistance.

Having considered the cooperation provided for in the agreement, including your joint recommendations, guarantees, and other terms and conditions of the agreement, I hereby (1) approve the program for the transfer of enriched uranium in the quantities and under the terms and conditions provided in the joint letter to me from the Secretary of Defense and the Chairman of the Atomic Energy Commission dated May 2, 1959, and in the proposed agreement; (2) determine that the performance of this agreement will promote and will not constitute an unreasonable risk to the common defense and security of the United States; (3) approve the proposed agreement for cooperation; and (4) authorize the execution of the proposed agreement for the Government of the United States by the Secretary of State.

After execution of the agreement, I shall submit it to the Congress.

I am forwarding a copy of this memorandum to the Secretary of State.

DWIGHT D. EISENHOWER.

AMENDMENT TO THE AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND FOR COOPERATION ON THE USES OF ATOMIC ENERGY FOR MUTUAL DEFENSE PURPOSES OF JULY 3, 1958

The Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland on its own behalf and on behalf of the United Kingdom Atomic Energy Authority;

Desiring to amend in certain respects the Agreement for Cooperation on the Uses of Atomic Energy for Mutual Defense Purposes (hereinafter referred to as the Agreement for Cooperation) signed at Washington on the third day of July, 1958;

Have agreed as follows:

ARTICLE 1

The following new Article shall be inserted after Article III of the Agreement for Cooperation:

"ARTICLE III BIS

"Transfer of materials and equipment

"A. The Government of the United States shall transfer to the Government of the United Kingdom the following in such quantities, at such times prior to December 31, 1969, and on such terms and conditions as may be agreed:

"1. non-nuclear parts of atomic weapons which parts are for the purpose of improving the United Kingdom's state of training and operational readiness;

"2. other non-nuclear parts of atomic weapons systems involving Restricted Data which parts are for the purpose of improving the United Kingdom's state of training and operational readiness when in accordance with appropriate requirements of applicable laws;

"3. special nuclear material for research on, development of, production of, or use in utilization facilities for military applications; and

"4. source, by-product and special nuclear material, and other material, for research on, development of, or use in atomic weapons when, after consultation with the Government of the United Kingdom, the Government of the United States determines that the transfer of such material is necessary to improve the United Kingdom's atomic weapon design, development or fabrication capability.

"B. The Government of the United Kingdom shall transfer to the Government of the United States for military purposes such source, by-product and special nuclear material, and equipment of such types, in such quantities, at such times prior to December 31, 1969, and on such terms and conditions as may be agreed.

"C. 1. With respect to by-product material, special nuclear material and other material transferred from one Party to the other under this Article, the recipient Party agrees not to use any such material for purposes other than those for which it was received, provided that material which has lost its identity as a result of commingling with other material of the recipient Party may be put to other uses if the recipient Party retains an equivalent amount of its own material for the purpose for which the other Party's material was received.

"2. For material or equipment transferred from one Party to the other Party, the recipient Party shall pay or reimburse, as may be agreed, all packaging, transportation and related costs. Packaging, shipping containers and methods of shipment shall be as may be agreed.

"3. Should either Party desire to acquire materials or components for use in the manufacture or in preparation for manufacture of atomic weapons from any source within the jurisdiction of the other Party, the procuring Party shall inform the other Party of the proposed procurement in order that such other Party may determine whether the proposed procurement involves classified information and if so whether the proposed procurement is in compliance with its applicable laws and regulations."

ARTICLE 2

Article VII of the Agreement for Cooperation shall be amended to read as follows:

"ARTICLE VII

"Dissemination

"Nothing in this Agreement shall be interpreted or shall operate as a bar or restriction to consultation or cooperation in any field of defense by either Party with other nations or international organizations. Neither Party, however, shall communicate classified information or transfer or permit access to or use of materials, or equipment, made available by the other Party pursuant to this Agreement to any nation or international organization unless:

"A. it is notified by the other Party that all appropriate provisions and requirements of such other Party's applicable laws, including authorization by competent bodies of such other Party, have been complied with as necessary to authorize such other Party directly so to communicate to, transfer to or permit access to or use by such other nation or international organization; and further that such other Party authorizes the recipient Party so to communicate to, transfer to or permit access to or use by such other nation or international organization; or

"B. in the case of communication of classified information and access to materials or equipment, such other Party has informed the recipient Party that such other Party has so communicated such classified information to, or permitted access to such materials or equipment by, such other nation or international organization; or

"C. in the case of material which has lost its identity as a result of commingling with other material of the recipient Party, the recipient Party retains an amount under its jurisdiction equivalent to that made available to it by the other Party under this Agreement."

ARTICLE 3

Article IX of the Agreement for Cooperation shall be amended as follows:

(1) The words "Article III" shall be deleted from paragraph A, subparagraph 2 of paragraph B, and subparagraph 1 of paragraph D, and the words "Articles III or III bis" shall be substituted therefor.

(2) The words "submarine propulsion plant and spare parts transferred pursuant to paragraph A of Article III" shall be deleted from subparagraph 1 of paragraph B, and the words "submarine propulsion plant, spare parts or equipment transferred pursuant to paragraph A of Article III or paragraph A or paragraph B of Article III bis" shall be substituted therefor.

ARTICLE 4

Article XI of the Agreement for Cooperation shall be amended as follows:

(1) Paragraph C shall be amended by adding at the end thereof the following:

" 'Equipment' also includes non-nuclear parts of atomic weapons and other non-nuclear parts of atomic weapons systems involving Restricted Data."

(2) After paragraph H add the following:

"I. 'Non-nuclear parts of atomic weapons' means parts of atomic weapons which are specially designed for them and are not in general use in other end products and which are not made, in whole or in part, of special nuclear material; and 'other non-nuclear parts of atomic weapons systems involving Restricted Data' means parts of atomic weapons systems, other than non-nuclear parts of atomic weapons, which contain or reveal atomic information and which are not made, in whole or in part, of special nuclear material. "J. 'Atomic information' means information designated 'Restricted Data' or 'Formerly Restricted Data' by the Government of the United States and information designated 'ATOMIC' by the Government of the United Kingdom."

ARTICLE 5

Article XII of the Agreement for Cooperation shall be amended as follows:

The words "to take effect at the end of a term of ten years," shall be deleted and the words "to take effect on December 31, 1969," shall be substituted therefor.

ARTICLE 6

This Amendment, which shall be regarded as an integral part of the Agreement for Cooperation, shall enter into force on the date on which each Government shall have received from the other Government written notification that it has complied with all statutory and constitutional requirements for the entry into force of this Amendment.

In witness whereof, the undersigned, duly authorized, have signed this Amendment.

Done at Washington this seventh day of May 1959, in two original texts.

For the Government of the United States of America:

CHRISTIAN B. HERTER.

For the Government of the United Kingdom of Great Britain and Northern Ireland:

HAROLD RACCIA.

To the Congress of the United States:

Pursuant to the Atomic Energy Act of 1954, as amended, I am submitting herewith to each House of the Congress an authoritative copy of an amendment to the agreement between the Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland for cooperation on the uses of atomic energy for mutual defense purposes of July 3, 1958. The amendment was signed at Washington on May 7, 1959.

The agreement of July 3, 1958, for cooperation on the uses of atomic energy for military purposes provided for the exchange of information covering the design and use of atomic weapons and other military applications of atomic energy and for the sale to the United Kingdom of a nuclear submarine propulsion plant and necessary fuel. Numerous exchanges have been made under this agreement, and both nations have benefited from these exchanges.

Under the provisions of the agreement there have been discussions between representatives of the two nations concerning the nature and scope of equipment and materials exchanges which would best contribute to our common defense and security and further benefit our two nations. As a result of these discussions an amendment to the agreement has been developed to further the goal of our mutual defense. It is gratifying to note that this amendment will also result in conservation of scientific and technical manpower and effort, and capital which would otherwise be required in providing duplicate facilities to meet our corresponding but separate requirements.

I am also transmitting a copy of the Secretary of State's letter accompanying authoritative copies of the signed amendment, a copy of a joint letter from the Chairman of the Atomic Energy Commission and the Secretary of Defense recommending my approval of this amendment, and a copy of my memorandum in reply thereto setting forth my approval.

(Enclosures: (1) Copy of amendment to the agreement between the Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland for cooperation on the uses of atomic energy for mutual defense purposes; (2) copy of Secretary of State's letter accompanying copies of the signed amendment; (3) copy of a joint letter from the Secretary of Defense and the Chairman of the AEC recommending my approval of the amendment; (4) copy of my memorandum in reply thereto setting forth my approval.)

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *May 19, 1959.*

DEPARTMENT OF STATE,
Washington, May 7, 1959.

THE PRESIDENT,
The White House.

THE PRESIDENT: The undersigned, the Secretary of State, has the honor to submit to the President with a view to its transmission to the Congress, pursuant to the Atomic Energy Act of 1954, as amended, an amendment to the agreement between the Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland for Cooperation on the Uses of Atomic Energy for Mutual Defense Purposes, signed at Washington under date of July 3, 1958.

This amendment was signed on May 7, 1959, on behalf of the United States pursuant to the authorization granted in your memorandum of May 5, 1959, to the Secretary of Defense and the Chairman of the Atomic Energy Commission.

A copy of that memorandum was received by the Secretary of State from the President.

Respectfully submitted.

CHRISTIAN A. HERTER.

(Enclosures: Amendment to the agreement between the Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland for Cooperation on the Uses of Atomic Energy for Mutual Defense Purposes.)

U.S. ATOMIC ENERGY COMMISSION,
Washington, D.C., May 2, 1959.

THE PRESIDENT,
The White House.

DEAR MR. PRESIDENT: The U.S. Atomic Energy Commission and the Secretary of Defense recommend that you approve the attached amendment to the agreement between the Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland for cooperation on the uses of atomic energy for mutual defense purposes. It is further recommended that you authorize the execution of this proposed amendment to the agreement on behalf of the United States of America. The Secretary of State concurs in the recommendations herein.

You will recall that the present agreement, which was executed on July 3, 1958, provided for increased cooperation with the United Kingdom under the authority of the Atomic Energy Act of 1954 as amended by Public Law 85-479. It provided the necessary framework for the exchange of certain classified information and the transfer of certain equipment and materials for military uses.

In the area of information, the agreement provided for exchange of information within the limits imposed by sections 144b and 144c of the Atomic Energy Act, as amended. Such information covered the development of defense plans; the training of personnel; the evaluation of the capability of potential enemies in the employment of atomic weapons and other military applications; the development of delivery systems capable of carrying atomic weapons; design, development, and fabrication of atomic weapons; and research, development, and design of military reactors. The agreement continued in effect submarine reactor cooperation earlier undertaken and provided for broader cooperation in the military reactor field in the future.

In the area of equipment and materials, the agreement provided for the transfer by sale to the United Kingdom of one complete submarine nuclear propulsion plant and fuel for operation of this plant for a period of 10 years.

It is believed that this agreement has resulted in significant advances to our mutual defense and security. Both governments have benefited extensively from the exchange of information under the provisions of this agreement.

You will recall that although authorized by Public Law 85-479, the agreement did not provide for the transfer of nonnuclear parts of atomic weapons or other nonnuclear parts of atomic weapons systems or of materials for research on, development of, or use in atomic weapons or of materials for research on, development of, or production of utilization facilities for military application. Until such time as discussions could be held with the United Kingdom under the authority of Public Law 85-479 and the new agreement, it was not possible to determine the nature or scope of equipment and materials exchanges which would best contribute to our common defense and security. Such discussions have since been held, and the purpose of the attached amendment to the agreement is to provide for the transfer of such equipment and materials.

As we stated when we submitted the agreement for your approval, the United Kingdom is participating with the United States in international arrangements pursuant to which the United Kingdom is making substantial and material contributions to the mutual defense and security, and the United Kingdom has made substantial progress in the development of atomic weapons.

The amendment provides for the transfer from the United States to the United Kingdom of (a) nonnuclear parts of atomic weapons and other nonnuclear parts of atomic weapons systems involving restricted data for the purpose of improving the United Kingdom's state of training and operational readiness; (b) special nuclear materials for research on, development of, production of, or use in utilization facilities for military applications; and (c) certain source, byproduct, and special nuclear materials, and other materials for research on, development of, or use in atomic weapons necessary to improve the United Kingdom atomic weapon design, development or fabrication capabilities.

The amendment provides for the transfer of similar materials and equipment from the United Kingdom to the United States.

The transfers are to take place from time to time during the period ending December 31, 1969. The quantities and other terms and conditions of the transfers will be as agreed by the parties. In this connection, the maximum quantities of materials to be transferred by the United States prior to December 31, 1969, is contained in a supplementary classified letter. These quantities of materials can be made available for transfer during this period without adverse effect on our defense program. However, it is not possible to determine at this time all the types and the quantities of nonnuclear parts of atomic weapons and other nonnuclear parts of atomic weapons systems involving restricted data which should be transferred between the parties prior to December 31, 1969, to improve our common defense.

The amendment, therefore, provides that the parties will agree from time to time on types and quantities to be transferred. All such agreements will be submitted for your approval and, in accordance with the provisions of section 91c of the Atomic Energy Act and article I of the agreement be subject to your determination that the proposed transfer will promote and will not constitute an unreasonable risk to the common defense and security. It is contemplated that transfers of equipment for use in manufacture of weapons will be by sale with the purchasing party paying the cost of the other party in providing the equipment. It is also contemplated that equipment transferred for other uses may be sold, leased or loaned by the United States. Materials will also be transferred by sale. In this connection, it is contemplated that highly enriched U^{235} sold by the United States will be paid for with plutonium at the rate of 1 grain of plutonium for 1.76 grains of U^{235}.

While the quantities of equipment and materials which will be transferred by the United States will not adversely interfere

with our defense program, they will be such as to add to the United Kingdom's defense capability, and will preclude unnecessary duplication of effort, facilities and funds and will provide for our greater collective security. The intended application of materials to the United Kingdom nuclear weapon production program as to types and time schedules for the next 10 years is considered consistent with current and planned force structures and delivery capabilities and in consonance with the contribution the United Kingdom is expected to make to the defense of NATO and to the military strength and solidarity of the Western Alliance.

Considering the progress to date on exchange of information within the limits imposed by section 144b and 144c provided for in the agreement, the expanded cooperation with the United Kingdom now proposed will contribute markedly to the development of practical and economical measures for applying the resources of both countries to the common defense and will serve as further evidence of the military, political and scientific bonds between the two nations.

In view of all the foregoing reasons the transfer of materials as proposed in the amendment is necessary to improve the atomic weapon design, development or fabrication capability of the United Kingdom.

The amendment recognizes that some materials and components which one party may wish to procure from sources within the jurisdiction of the other party may be procured without an agreement for cooperation, provided that classified information not involving atomic information involved in the procurement may properly be communicated to the purchasing party. The amendment, therefore, provides that the other party will be informed of any such proposed procurement of materials or components for use in the manufacture of atomic weapons in order that it may insure compliance with its applicable laws and regulations.

The amendment also revises the dissemination article of the agreement. This revision is intended to make more specific the meaning of the original article; namely, that information, materials, or equipment received by one party will not be communicated or transferred by that party to a third nation or international organization unless the party furnishing the information, material, or equipment authorizes the communication or transfer after determining that it could effect the communication or transfer directly, or in the case of information, that it had previously communicated the information to such nation or organization. Special provision is made for materials which it is not practicable to keep separate from other materials of the receiving party, such as materials which become intermingled, or scrap resulting from manufacturing processes. To avoid burdensome and costly administrative procedures, which would otherwise be necessary to trace and identify this material, the amendment provides than an equivalent amount of the material will be retained under the jurisdiction of the receiving party.

The amendment makes technical changes in the patents article of the agreement resulting from the additional cooperation provided in the amendment and adds additional definitions. Finally the amendment modifies the duration article of the agreement so that cooperation in the field of information will continue until December 31, 1969, the term of the materials and equipment cooperation under the amendment.

Other provisions and conditions of the agreement including those relating to security safeguards will apply to cooperation under the amendment.

In accordance with the provisions of section 91 of the Atomic Energy Act of 1954, as amended, the agreement specifically provides in article I that all cooperation under the agreement will be undertaken only when the communicating or transferring party determines that such cooperation will promote and will not constitute an unreasonable risk to its defense and security, while the United States and the United Kingdom are participating in an international arrangement for their mutual defense and security through substantial and material contributions thereto. Cooperation under article III bis, which will be added to the agreement by the amendment, would be undertaken only when these conditions prevail.

It is the considered opinion of the Atomic Energy Commission and the Department of Defense that the performance of this amendment to the agreement will promote and will not constitute an unreasonable risk to the common defense and security of the United States.

Accordingly, it is recommended that you (1) approve the program for the transfer of material and equipment as set forth herein and in the attached amendment to the agreement; (2) determine that the performance of this amendment to the agreement will promote and will not constitute an unreasonable risk to the common defense and security of the United States; (3) approve the proposed amendment to the agreement for cooperation; and (4) authorize the execution of the proposed amendment to the agreement for the Government of the United States by the Secretary of State.

Respectfully yours,

JOHN A. McCONE,
Chairman, Atomic Energy Commission.
DONALD A. QUARLES,
Secretary of Defense (Deputy).

MAY 5, 1959.

MEMORANDUM FOR THE CHAIRMAN, ATOMIC ENERGY COMMISSION; THE SECRETARY OF DEFENSE

In your joint letter of May 2, 1959, the Chairman of the Atomic Energy Commission and the Secretary of Defense recommended that I approve a proposed amendment to the agreement of July 3, 1958, between the Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland for cooperation on the uses of atomic energy for mutual defense purposes.

The United Kingdom is participating with the United States in international arrangements pursuant to which it is making substantial and material contributions to the mutual defense and security, and the United Kingdom has made substantial progress in the development of atomic weapons. The proposed amendment will permit cooperation necessary to improve capabilities of the United States, and the United Kingdom, in the application of atomic energy for mutual defense purposes, subject to provisions, conditions, guarantees, terms, and special determinations, which are most appropriate in this important area of mutual assistance.

Having considered the cooperation provided for in the amendment, including your joint recommendation, the security safeguards and other terms and conditions of the agreement and the amendment, I hereby—

(a) Approve the program for transfer prior to December 31, 1969 of: (i) nonnuclear parts of atomic weapons and other nonnuclear parts of atomic weapons systems involving restricted data, and (ii) source, byproduct, special nuclear and other material, in the types and quantities and under the terms and conditions provided in the joint letters dated May 2, 1959, to me from the Chairman, U.S. Atomic Energy Commission, and the Secretary of Defense, and the proposed amendment to the agreement of July 3, 1958, between the Government of the United States and the Government of the United Kingdom for cooperation on the uses of atomic energy for mutual defense purposes; however, types, quantities, and conditions of transfer not so provided are subject to my further approval;

(b) Determine that the performance of this amendment to the agreement will promote and will not constitute an unreasonable risk to the common defense and security of the United States;

(c) Approve the proposed amendment to the agreement for cooperation; and

(d) Authorize the execution of the proposed amendment to the agreement for the Government of the United States by the Secretary of State.

In taking these actions, I have noted the supplementary classified information regarding the amendment to the agreement, also jointly submitted to me.

After execution of the agreement, I shall submit it to the Congress of the United States.

I am forwarding a copy of this memorandum to the Secretary of State.

DWIGHT D. EISENHOWER.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. FULBRIGHT:

Editorial published by the Wall Street Journal and the reply to it made by Senator CLARK entitled, respectively, "The Modern Fallacy," and "The Ancient Folklore."

NOMINATION OF LEWIS L. STRAUSS TO BE SECRETARY OF COMMERCE

Mr. McGEE. Mr. President, this morning I rise to make a personal statement about the nomination of Lewis L. Strauss to be Secretary of Commerce. I was not a member of this body during the years which evoked the serious charges leveled against the nominee by the chairman of the Joint Committee on Atomic Energy [Mr. ANDERSON]; by the chairman of the Antitrust and Monopoly Subcommittee [Mr. KEFAUVER]; by the former chairman of the Antitrust and Monopoly Subcommittee [Mr. O'MAHONEY]; and by the chairman of the House Appropriations Committee [Mr. CANNON]. The seriousness of their charges ought to be a matter of grave concern to every Member of this body. In those instances, the record should guide each Senator in his own conclusions.

I have been a Member of this body long enough, however, to sit through the Strauss hearings before the Interstate and Foreign Commerce Committee. What I observed at firsthand throughout those hearings, I should like to share with my colleagues.

On the basis of those hearings, I charge that Lewis L. Strauss tried to deceive a committee of the Senate.

More than one illustration of the point is available. Today, however, I shall deal with but one instance of attempted deception of the Interstate and Foreign Commerce Committee. This occurred during the final day of the hearings recently completed, May 14, 1959. On that day, the committee was concerning itself with the admiral's role in the well-

known duplicitous-letter incident which first came up during the hearing in the House of Representatives in June 1956.

In our committee, responding to questions from the Senator from California [Mr. ENGLE] Strauss again denied responsibility for the controversial letter, as he had during the original House hearings. The chairman [Mr. MAGNUSON] then confronted Strauss with the official printed public record of the House hearings. According to the House transcript, Strauss had said in 1956, in regard to the duplicitous letter—see page 318, hearings before Subcommittee of Committee on Appropriations, House of Representatives, 84th Congress, 2d session, 2d supplemental bill, 1957.

You bet I stand by it. I would like to take full responsibility for having asked the General Counsel of the Commission to prepare the letter.

But his reply to Chairman MAGNUSON in the hearings this month on May 14, 1959, was:

This is not what I said. I did not ask to have a letter prepared. I did not know what the letter contained. I did assume responsibility for it.

Then there followed this colloquy:

The CHAIRMAN. Are you saying this record is not correct?

Mr. STRAUSS. I say that I did not say what I am here quoted as saying.

The CHAIRMAN. The portion I read to you is not correct?

Mr. STRAUSS. No, I don't deny that what you read is correct as printed but not correct as attributed.

The CHAIRMAN. In other words, you say you did not say what it says you said here.

The implications of this exchange were shocking to me. What the admiral's reply meant was that either the official reporter had been inaccurate, or that someone—unnamed—had altered the record. Because of the seriousness of either explanation, I pressed Mr. Strauss vigorously in an attempt to get at the facts. He accused me of putting words in his mouth, while some Republican members of the committee at the same time asserted that I was "badgering and harassing" the witness.

Today, in a calmer atmosphere, it is possible to assess the available evidence. Two basic facts emerge:

First. The accuracy of the original notes has been sworn to by the official reporter who took them and, who has recently reexamined the original notes of the hearing.

Second. Admiral Strauss was given the opportunity of reading the original transcript and making such corrections as he thought proper at the time of the hearing on June 25, 1956. He made no changes affecting this particular statement.

Both of these facts have recently been corroborated by Representative CLARENCE CANNON, chairman of the House Appropriations Committee. From these two incontrovertible facts, three conclusions are warranted:

First. That the original record was not changed in any material way by anyone.

Second. That there was no clerical error, and

Third. That Mr. Strauss, in fact, did say what was attributed to him in the official House record in June 1956.

Mr. President, what does this mean? It means that Lewis L. Strauss has found a statement which he made in June 1956 to be embarrassing to him in May 1959. And when confronted by that embarrassing statement what does he say? That he was wrong? No, that the record is wrong.

In my judgment this is a naked attempt to deceive the committee which was called upon to consider his nomination. This attempted deception occurred not years ago, but this year; not last session, but this session; not even last month, but this month.

I submit, Mr. President, that the time has come to assess the pattern of this man's public conduct. Who is right and who is wrong? Is it Senator ANDERSON or Lewis Strauss? Is it Senator O'MAHONEY or Lewis Strauss? Is it Senator KEFAUVER or Lewis Strauss? Is it Representative CANNON or Lewis Strauss? In view of his attempt to deceive the Interstate and Foreign Commerce Committee now, I say to the Members of the Senate that Lewis L. Strauss is wrong. Not only is he wrong, he has tried to deceive a committee of the Senate and thus should be refused confirmation of his nomination to be Secretary of Commerce.

I ask unanimous consent to have printed in the RECORD, following my remarks, the transcript of the hearings which pertain to these statements.

There being no objection, the testimony was ordered to be printed in the RECORD, as follows:

(Testimony before the Interstate and Foreign Commerce Committee on May 14, 1959 (pp. 1666 through 1675 of original transcript of hearings):)

Senator MCGEE. Mr. Chairman, did I understand you to say that you are going to put in the House testimony on the hearing that bears on——

The CHAIRMAN. We will put it in by reference.

Senator MCGEE. I have the full hearings here.

The CHAIRMAN. I just want to ask one question so we won't be too confused about this matter after you read the House hearings, but on page 318 of the second supplemental appropriation bill of 1957, Chairman CANNON makes this statement—he is speaking of the letter—he says the dates are immaterial. He says that you—he is talking to Admiral Strauss—"you do not have the authority but the letter which you prepared and which you have stood by all this time."

"Mr. STRAUSS. You bet I stand by it. I would like to take full responsibility for having asked the General Counsel of the Commission to prepare the letter."

Now that doesn't jibe with——

Secretary STRAUSS. Senator, I submit that this record is not an accurate record and the members of the committee, the 15 members of the committee, stated that it had been molded. This is not what I said. I did not ask to have the letter prepared. I did not know what the latter contained. I did assume responsibility for it.

The CHAIRMAN. Are you saying this record is not correct?

Secretary STRAUSS. I say that I did not say what I am here quoted as saying.

The CHAIRMAN. The portion I read to you is not correct?

Secretary STRAUSS. No. I don't deny that what you read is correct as printed but not corrected as attributed.

The CHAIRMAN. In other words you say you did not say what it says you said here.

Secretary STRAUSS. No, and you can bring down Dr. Libby and Mr. Mitchell and ask them whether I ordered the letter prepared. They will testify I did not, I could not have.

Senator MCGEE. You are suggesting either someone on the committee doctored the hearing reports or the reporter did not report accurately, is that it?

Secretary STRAUSS. Senator MCGEE, I will not permit you to put words in my mouth which you have been trying to do since the beginning of this hearing. I will simply read you again, repeat again, the statement of 15 of your congressional colleagues and I will rest my case on that. They said material matters were omitted from the record and the record had been molded. I will stick by that.

Senator MCGEE. The reason I raise that question, Admiral, is only one. We have been trying to make a record here which we hope at least reflects honestly what was said in this room. Now, are we going to encounter this on our record here, that you didn't say some of these things?

Secretary STRAUSS. The subject was not introduced by me, Senator MCGEE. The subject was introduced by Senator ENGLE. I referred to the report of 15 members of the provisions committee in 1956 or whenever it was and I will rest on that.

Senator MCGEE. Sir, you have introduced a subject here on the veracity of the record or the reporting in a congressional hearing.

Secretary STRAUSS. I did not introduce it. This is a matter of official record. A minority report is a matter of record as well as a majority report.

Senator MCGEE. A minority report can oppose the conclusions drawn from a record but as I understand your statement, and that was the only reason I was asking for the meaning or the implication of your words. Are you challenging the honesty or the veracity or the integrity of those who prepared this report in print?

Secretary STRAUSS. I am only concurring with the minority report.

Senator MCGEE. You are evading my question.

Secretary STRAUSS. In the language in which it is written and I do not—do not try to put words in my mouth.

Senator COTTON. Mr. Chairman, I am compelled to protest at this line of questioning when the Senator from Wyoming insists on putting into the words of the witness the words of 15 Congressmen. They challenged this report and said it was doctored and he persists in trying to say that no one did except Admiral Strauss and I resist that as unfair.

Senator MCGEE. I was unaware that I had yielded the floor, Mr. Chairman.

The CHAIRMAN. The Senator from Wyoming can restate his question and I hope that we will differentiate between the hearings on the bill and the reports. There is a lot more in here we will incoroporate by reference and Chairman Cannon asked the same type of questions. The Senator from Wyoming.

Senator MCGEE. Mr. Chairman, you correct me if I make any wrong implication. The chairman of this committee read from the hearings on the second supplemental appropriation bill and he read and I quote again Admiral Strauss saying, "You bet I stand by it," meaning the letter in controversy. "I would like to take full responsibility for having asked the General Counsel of the Commission to prepare the letter."

Now, Admiral Strauss says here, if I understood him correctly, "I did not say that."

Secretary STRAUSS. That is true.

Senator McGEE. Therefore, I am asking you, Admiral, if what you are doing is calling into question the honesty of the preparation of this report.

Secretary STRAUSS. I am answering the first question, as to whether or not I said it. Any inferences that you draw from that, Senator McGEE, are your inferences. I will stand with the report of the minority of the committee.

Senator McGEE. But the minority of the committee didn't pass judgment on the honesty of the reporting of a court reporter. They passed judgment on a difference in interpretations.

Secretary STRAUSS. You didn't hear me.

Senator COTTON. Mr. Chairman, that is not correct. The minority report says that the hearing, the report of the hearings, the transcript of the hearings had been molded.

Secretary STRAUSS. Senator, I will try to read it to you in their language.

Senator McGEE. We have two different documents in hand here, Admiral.

Secretary STRAUSS. The document from which I am quoting is Report No. 2849, House of Representatives, 84th Congress 2d session, 2d supplemental appropriation bill, 1957, report to accompany House Resolution 12350 and it begins with the record of the majority. It is followed by some material about the Department of Interior in title II and then on page 27 there is the minority report and I will read again the first few lines: "We find ourselves unable to support a report the conclusions in which are not in accord with the testimony. We cannot approve printed hearings from which pertinent testimony has been omitted or which has been molded to meet a desire to make a case."

Senator McGEE. And therefore you stand on the position here, this afternoon, that this statement read by the chairman of this committee is not a true statement as it actually transpired in the committee?

Secretary STRAUSS. Senator, I stand on——

Senator SCOTT. Mr. Chairman.

The CHAIRMAN. The committee will come to order.

Senator SCOTT. I address a point of inquiry to the Chair. My inquiry is whether or not a Member of the Senate is permitted to characterize statements made by Members of the House as to whether or not those statements are true. I think the statements have to stand for themselves. We are getting in very dangerous territory in the course of pursuing relentlessly a witness. We are involving ourselves in whether or not the Senate thinks that the Congressmen told the truth and I raise that parliamentary inquiry.

The CHAIRMAN. Well, the Senator from Wyoming can surely ask a question. Both the witness and the Senator from Wyoming have characterized what some of these people were thinking and I think there has been sufficient latitude here. The record will speak for itself. I think what the Senator from Wyoming is trying to clear up is whether the minority, the 15 members, were speaking about the transcript of the hearings or the written material in the committee print.

Secretary STRAUSS. You have it before you.

Senator McGEE. On page 29 they do single out the language that you selected and they go on in this minority report to make reference to a newspaper editorial that was omitted or inserted, excuse me, and to another bit of the testimony that was not in their judgment accurately reported. It makes no reference at any time by allegation, insinuation, or imputation that they disagreed or questioned your response to this question. I think, Admiral, that you are in error in trying to cast the impression here, if I may say so very frankly, that the minority of 15 passed judgment on this very searching question that the chairman of this committee raised with you and that is you are questioning the truth or the accuracy of this statement in the committee hearing report, not in any of the final reports that were written, this is in the actual word-for-word testimony that was being supplied. This is the exchange between the participants in that hearing and that is the reason it is important we nail that down.

Secretary STRAUSS. Was that a question, Senator?

Senator McGEE. I am commenting on the point that I am trying to drive home with you there and that is that you are not addressing yourself to my question.

Secretary STRAUSS. I don't know what your question is, Senator. I have lost it.

Senator McGEE. My question, Admiral, is this: Do you suggest to this committee that the minority report in taking exception to the majority report was moved because of the inaccuracy of this statement on page 318 of the hearings?

Secretary STRAUSS. I think it is an impropriety for me to say what moved the minority.

Senator McGEE. But you were saying what moved them, Admiral.

Secretary STRAUSS. You can't find that in my testimony.

Senator SCOTT. I object to this line of inquiry as improper.

Senator COTTON. I associate myself with that objection.

Senator BUTLER. I think it is harassing.

Senator SCOTT. It amounts to badgering. I so characterize it.

The CHAIRMAN. Let's come to order. I think the Admiral has answered. I referred to the page. I put the question to him direct. And he answered. Now, we will proceed. I think the record will speak for itself. I don't think it is becoming for any member of the committee to suggest when someone on one end makes a statement or conclusion it is out of order. All of us have made statements and conclusions.

Senator SCOTT. I asked you for a ruling, Mr. Chairman, but I don't think there is any longer any need for the ruling.

The CHAIRMAN I ruled that he could ask a question and all of us have presupposed our questions with statements.

Senator SCOTT. And I suppose all of us have revised our remarks at times.

The CHAIRMAN. The Senator from Pennsylvania used to make a statement at the close of every day here.

Senator SCOTT. And sometimes at the end of the morning session, too, Mr. Chairman.

The CHAIRMAN. That was a good time to make it in both cases.

Senator SCOTT. Had it not been made, Mr. Chairman, a wrong impression would have emanated from the committee room.

The CHAIRMAN. Well, I think now that the members of the committee know that we all make statements and we have some latitude and things aren't always just questions but I think the Senator from Wyoming did put a question. I do think the Admiral answered my question. I don't think he quite cleared up the question that the Senator from Wyoming asked but nevertheless the record will speak for itself. Now, let's proceed with the Senator from New Mexico because again the hour is getting late.

Mr. YARBOROUGH. Mr. President, will the Senator yield?

Mr. McGEE. I yield to the Senator from Texas.

The PRESIDING OFFICER (Mr. YOUNG of Ohio in the chair). The time of the Senator from Wyoming has expired.

Mr. ENGLE. Mr. President, the nomination of Admiral Strauss to be Secretary of Commerce is scheduled to come before the Senate very soon. I call the particular attention of my colleagues to two recent editorials which summarize clearly and succinctly the basic reasons for rejecting the Strauss appointment. The editorial in the St. Louis Post Dispatch points to Strauss' "deviousness and addiction to half-truth." while the editorial in the San Francisco Chronicle refers to the "secrecy, the inadequate and sometimes inaccurate information during the Strauss regime," which produced "the kind of information that confused and misled the public."

Here is the essence of the case against the confirmation of Strauss, and it is stated lucidly and forcefully in these editorials from two of the Nation's leading newspapers. I ask unanimous consent to have the editorials printed in the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the San Francisco Chronicle, May 20, 1959]

STRAUSS' RECORD CAUSE OF DOUBTS

The Senate Commerce Committee has approved President Eisenhower's nomination of Lewis L. Strauss to be Secretary of Commerce after exceptionally long and hot inquiry; the appointment now goes to the Senate floor where further and probably even more bitter debate is anticipated.

The surge of hostility against Strauss—extremely rare in the case of Cabinet nominees—is entirely remote from any doubt of his technical competence; Strauss is a self-made man of extraordinary ability in business and finance, with a background that would be invaluable to a Secretary of Commerce. What has come under grave question is the character of the man as illuminated by certain traits displayed during his tenure as chairman of the Atomic Energy Commission.

First, there was his ardent advocacy of the celebrated Dixon-Yates contract—an affair in which, it has been freely charged, he withheld vital information from the President and from the public to the end that the President, having supported the contract, was compelled to repudiate it when the full facts came to light.

Then there was the secrecy, the inadequate and sometimes inaccurate information which marked AEC reports on atomic energy developments during the Strauss regime. Strauss has been accused of violating the law which requires the AEC to keep the joint congressional committee fully informed. There is no doubt that the kind of information that emanated from the Commission in connection with radioactive fallout, the detection of subterranean detonations, and the export of isotopes to friendly nations confused and misled the public.

Thirdly, and to our mind supremely important in any judgment of this matter, was the conduct of Strauss in connection with Dr. J. Robert Oppenheimer. From motives not yet clear Strauss, as newly appointed Chairman of the AEC, moved against Dr. Oppenheimer with a savage vigor that aped the methods of Senator Joseph McCarthy and suggested persecution. The upshot was a personal tragedy for a man who had served his country well and loss to the Nation of the talents of one of this era's greatest scientists.

Such grave affairs readily explain why so many Senators do not impose in Strauss the confidence that a Cabinet officer ought to inspire, why his fitness is being challenged despite his tremendous business ability, and even though, as Senator LAUSCHE noted, there has been no finding that he is dishonest, incompetent, or disloyal to his country.

The question that here arises may be stated: Should a man whose conduct of one

public office has resulted in grave public disservice be rewarded by promotion to Cabinet rank?

[From the St. Louis Post-Dispatch, May 11–17, 1959]

MORE STRAUSS EVIDENCE

As the evidence piles up in the Strauss hearings, it becomes clearer than ever that, contrary to President Eisenhower's assertion, the case against his appointee does not rest on mere personal antagonism. The opponents of Strauss' confirmation as Secretary of Commerce are demonstrating that his character and qualifications, as revealed by his record in the Atomic Energy Commission, do not warrant a vote of confidence by the Senate.

And that, be it remembered, is what the Senate is asked to render. There would be no point to the whole confirmation process if, as many of Strauss' supporters seem to think, the Senate were obliged to confirm every Presidential appointee who had stayed out of jail. It is true that the President is entitled to appoint men of his own persuasion to his Cabinet. But they must be men in whom the Senate as well as the President can have confidence. In our opinion, Adm. Lewis Strauss does not pass that test.

The curious argument has been made that the acts for which Admiral Strauss is criticized were approved by President Eisenhower, and therefore Admiral Strauss should be confirmed. It was the President, we are told, who formally initiated the security proceedings against Robert Oppenheimer; who supported the Dixon-Yates contract, who backed up Strauss' views on nuclear secrecy and the dangers of fallout. Since Mr. Eisenhower must bear final responsibility for these acts, it is argued that he should be permitted to reappoint the man who performed them.

There are two answers to this. One is that President Eisenhower, to an altogether unique degree, has followed the practice of delegating major decisions to his subordinates. That is how he works. In the light of his own record, it is as plain as plain can be that he would never have thrown Dr. Oppenheimer to the wolves of McCarthyism had not Strauss told him to. He would never have tried to cripple the TVA for the benefit of a private power syndicate had not Strauss advised it.

In the second place, even if the record on this point were different it would not justify Senate confirmation of Strauss. The question for the Senate is whether Strauss did right, or did wrong, in the Oppenheimer case; whether he was representing the Nation, or a special interest, when for many months he persuaded the President to defend a Dixon-Yates contract which finally had to be repudiated; whether he was right, or wrong, in deceiving the American people about radioactive fallout and clamping the straitjacket of extreme secrecy on nuclear scientists.

In our judgment, Strauss' character and fitness are called into question by every one of those aspects of his record. And other aspects of the record confirm the doubt. Strauss has no real answer to the charge of Scientist David L. Hill that he used the security system for the exploitation of personal differences with three other officials, as well as Dr. Oppenheimer. His deviousness and addiction to half-truth are confirmed by the fact that, when asked why he changed his mind on Oppenheimer, he cited a list of altogether unproved charges sent to the FBI in November 1953, whereas the record shows that in fact Strauss initiated action against Oppenheimer within 4 days of taking office in July 1953.

For these reasons we believe the Senate should reject the Strauss nomination.

ADDRESS DELIVERED BY ADLAI E. STEVENSON AT THE UNIVERSITY OF ILLINOIS

Mr. FULBRIGHT. Mr. President, I ask unanimous consent to have printed in the body of the RECORD as a part of my remarks one of the best speeches I have read recently, a speech delivered on May 12 at the University of Illinois by the Honorable Adlai E. Stevenson.

This speech is an extremely thoughtful analysis of some of the most difficult problems confronting our country in the field of foreign relations, and I think it should be made available to the country.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY ADLAI E. STEVENSON, UNIVERSITY OF ILLINOIS, URBANA, ILL., TUESDAY, MAY 12, 1959

I have recently spent a week on the Yale campus as a visiting fellow. And after that inquisition I wonder why I dared to set foot on another campus so soon. It may be vanity that drives so many of us—even ex-politicians—to seek the society of scholars and learned people, hoping to be mistaken for one.

But I would like to think I had a better motive for coming here to this great, distinguished institution which has been a part of my life and my pride since my childhood in nearby Bloomington. Besides, I like to be with young people, for "Youth is such a wonderful state," as Bernard Shaw said, "it is a shame it has to be wasted on young people."

At Yale, both faculty and students seemed profoundly interested in foreign affairs. What was true there may be true here at Illinois, so I am going to talk to you about foreign policy. And that may be timely, too, in view of the Foreign Ministers' meeting that commenced yesterday at Geneva to deal with the current crisis in Berlin.

Not long ago a young lady told me that her strong-willed mother, who has long been very active in public affairs, had been elected to public office. And after the election she overheard her mother pray: "Oh, Lord, I have been so positive all my life, please make me right now."

Well—I feel a little that way, too, because Europe is changing fast. If I don't miss my guess the postwar rigidities of recent years are dissolving, at least on our side of the Iron Curtain. I wish I could be sure that similar changes were going on behind the Communist curtain.

And we in the United States may be changing too. I don't mean to say I think we are all going to vote Democratic yet, but I do think we are beginning to take a more critical interest in our position in the world and to see ourselves as others see us a little better. I count this a good thing, and I have been suggesting for some years that we adjust to facts instead of illusions. But truth is the daughter of time. And, as Tallyrand said, "The only thing wiser than anyone is everyone," and everyone is getting wiser to the facts and fancies about our situation.

Let me enumerate some of these facts and fancies.

Have we forgotten that other rich, complacent, comfortable societies have crumpled before the poor, the tough, and the determined? Did we deceive ourselves about our technological superiority over Russia? Do we still deceive ourselves about reality in China?

Would we be as embarrassed by McCarthyism, Little Rock, and the like if we were not so self-righteous? Modesty is not only becoming, it is necessary.

Our contradictions are notorious. We preach democracy to illiterate people who can't apply it, and simultaneously ally ourselves with dictators. We preach capitalism and private enterprise to underdeveloped countries who have no private capital.

We denounce socialism to people who have no real choice but socialism or dictatorship. We confuse diplomatic contact with political approval. We assure ourselves that political communism is repugnant to religion, and meanwhile it penetrates Islam and even Buddhist areas. Anticommunism and pious public declarations do not make a policy.

Our prestige is not improved by empty talk about liberating the satellites and unleashing Chiang Kai-shek when we can't even contain communism, by backing and filling over the Aswan Dam, and what have you, by talking about socialism and communism as if they were the same thing, and by denouncing neutralism as if we ourselves had not been neutral for a century. While praising peace we proclaim massive retaliation and nuclear war as our defense policy.

And "pactomania" has given our policy a military aspect quite distasteful to the peaceful yearnings, and quite unresponsive to the economic needs, of the vast uncommitted areas, where liberty must mean something, be worth something, before people are willing to fight for it.

But I won't go on. My purpose is not to criticize past failures but to discuss future policies, as we move out of the post Korea freeze into the more fluid and decisive period of the gerat revolution which is violently remaking the world before our eyes.

The first condition of an effective foreign policy is to have a policy, or at the very least a sense of direction. If finding out what the Communists are doing and trying to stop them is the chief guide to our diplomatic activity, they will dictate the paths we follow and are not likely to lead us where we want to go. They will determine the occasions and the crises. They will act, we only react. The result is not only ineffective, it is undignified. A great nation should not be reduced to a one man fire brigade, rushing from fire to fire. We can do better than this.

I believe two fundamental aims must underlie all our diplomacy. The first is a world under law. National survival depends upon avoiding war, and man has discovered no way other than the rule of law to banish violence from the settlement of his disputes.

Our other fundamental aim must be to confront as constructively as we can the vast revolution sweeping our planet. On the one hand, populations are increasing as never before. On the other, at least one-third of the human race, still dwelling in the main in preindustrial economies, has little means of expanding to meet the rising flood of population. For them to modernize is as much a condition of survival as to avoid war. If they fail, misery, despair, and anger could create the tumult from which local conflict and general war might spring.

We shall not achieve law in an anarchic world. Our two aims are thus the two sides of a single coin—an ordered world society.

But aims are not policies and statements of such generality do not take us much beyond political oratory. Aims may give us some sense of direction, but their application depends upon hard political realities in the work-a-day world. The first of these realities is the broad division of the world between the Communists, the so-called free nations, and the others who see their best hopes in committing themselves to neither side. In population, the three groups are roughly equal. In wealth, the predominance is with the free democracies. In actual power, the Communists can claim equality. For the other nations, both wealth and power are largely an aspiration. How, within this context, should we conduct our affairs with each of these groups?

II

Relations with the Communists means in effect relations with Russia and China. For the time being, they are bound together in a close alliance and community of interest. But I see no reason to suppose it immutable. If for no other reason, the Russians must have some reservations about the emergence of a new center of power in the Communist world in a nation lying on the borders of empty Siberia, a nation which by the year 2,000 may have a population of 1,600 million. In other words, there is no inevitable long-term coincidence of interest between the two most powerful Communist states unless we continue to thrust Peiping into Moscow's arms. We want to keep Formosa free. Years ago I urged that instead of fighting over Quemoy and Matsu, we should be discussing the independence of Formosa together with the admission of China to the United Nations.

I am sure the Russians are delighted with our present policy of isolating China which makes them her spokesmen. And I believe we should not veto the admission of Communist China to the United Nations. I wish China had had to answer for Tibet before the forum of organized world opinion.

I believe Asian opinion would support independence for Formosa and an undertaking not to use force in settling its future. And I believe, too, that there would be widespread support in Asia for a declaration that the wishes of 8 million Formosans would be consulted in making any decision about their political future—especially after the tragedy in Tibet.

Could we go further? Could we urge the Asian nations to agree to the establishment of an atom-free zone in the Far East, as a preliminary to controlled disarmament? So much of Asian opinion has spoken out for pacification and noninvolvement, why not try to give some concrete meaning to this desire? Indeed, Mr. Khrushchev has himself suggested the possibility of an atom-free area. Is there a hint here to follow up? One of the problems in all our dealings with communism is to find grounds of common interest which guarantee that agreements will be observed.

The Soviet theory of state power is ruthless. What serves Russia serves communism and hence mankind. This is the ideological gloss on the claim to total sovereignty. There are only three ways of meeting it—by maintaining equality of armed power, by foolproof control of agreements to limit armed power, and by discovering common interests. We must be ready for all three. I have myself suggested to Mr. Khrushchev that we should be content with equality of power and not continue a ruinous arms race for an ever-elusive superiority. Equality might be a first step to a controlled scaling down. We have to stop going forward before we can go backward.

Has Russia any genuine interest in reducing arms? If any weakness in America—any pennywise, more "bangs-for-a-buck" budgetary policy—puts our determination to be equal in doubt, clearly the Russians must be tempted to seek a decisive overbalance of power on their side. But if stalemate is all they can hope for, the expense, waste, and risk of the policy of competitive arming are powerful arguments for a genuine disarmament. We on our side should make it clear that we set no limit to the arms control we will accept, provided they are imposed on both sides.

The logical end is the surrender of the right to private violence to a world police force, serving a world system of law, and commissions of arbitration and conciliation. This should be our ultimate aim and all limited agreements—such as a ban on atomic tests with mutual inspection or the United Nation's supervision of Israel's frontiers—which enshrine the principle of international policing should be vigorously supported and extended.

But is there any reason to suppose Russia has any interest in abandoning its sovereign right to use force—for expansion, for world revolution, or, as in Hungary, to preserve its own imperial control? In the short term, probably not, but in the long term, an industrialized, nuclear equipped China might be infinitely more powerful and ruthless than the Soviet system. It is worthwhile at least quietly exploring whether it would not be safer to create an international security system in the world, backed by the combined will of Russia and the West, before a thousand million militarized, industrialized Chinese have the chance to revive the expansive tradition of such dynasties as the warlike Tang.

With or without summit meetings we will not arrive in one stride at a fully integrated system of controlled disarmament. We shall be negotiating, I suspect, for the next two decades—and we might perhaps usefully add chess to the training of our diplomats. But I believe we can give to general disarmament and a world policing system the same emphasis as the Russians give to "peace." I would have us reply "police" every time they utter "peace"—for we cannot have the one without the other.

III

It is, of course, the particular difficulties which fill the headlines and bring the immediate risks of war. These inevitably occur—in the areas where the power and interests and security of the great powers overlap, and where the collapse of the old European colonial system has left the local pattern of sovereignty fluid and insecure. The borders of China, the Middle East and Europe itself are three such areas where local disputes involve the risk of outside intervention and war. We are all but dizzy from standing on a series of Middle Eastern brinks, and the whole of Europe is endangered with each new outburst of unrest in Russia's East European empire.

The answer to these risks is not always the formation of military blocs aimed at the Soviet Union and supported by Western arms. The history of the Baghdad Pact, for instance, is one of steadily increasing insecurity in an area it was designed to stabilize. Egypt and Afghanistan turned toward Russia. India was alarmed and angered. And now even the country from which the Baghdad Pact got its name may be slipping away from us.

If we seek military clients, Russia can play that game too, and more cynically. Moreover, it is not embarrassed by ties to the former colonial overlords. I do not mean that endangered countries should be unprotected. The Eisenhower doctrine is presumably a restatement of our commitment under the U.N. charter to come to the aid of any victim of direct aggression. If the Soviets were directly to invade Iran—though it is not likely—American intervention would be unavoidable. And that is precisely why it is not likely. But Iran is not one whit more secure because of military links with Pakistan, and the fate of Iraq shows how easily an unpopular alliance can be exploited to undermine a pro-Western regime.

I believe that we must look rather to disarmament and nonalinement, to political and economic collaboration, in the areas where great power interests collide. We still have a little time, for atomic weapons are still in great power control. Ten years from now, who knows how many local dictators may have them, to the detriment not only of our security but of Russia's as well. There may be another common interest to explore here. We might examine the possibility of an atom-free zone for the Middle East. We might also reconsider an earlier suggestion of an embargo on arms shipments from outside, which the Soviets have endorsed.

I should also like to see a determined effort to establish the often-discussed Middle East development bank, and a new initiative to develop the whole Nile Valley through an international consortium. If the Russians would participate I would not exclude them even if we could. Working with them would not influence their policies, at least in the short run. But in a group their influence is reduced, and also the local powers would find it harder to play East off against West.

Of all the areas lying in uncertainty and political jeopardy between the great centers of power, none is more vulnerable than Europe. We have had local wars in the Far and Middle East and managed to contain them. The chance of doing so in Europe is slight. Here the tinder is dryest, just now, and the flying sparks most hazardous.

In the first place, we should not allow the current discussion of policy to be polarized between two extremes—complete disengagement and complete rigidity. In the extremer versions of disengagement it is said that the United States will inevitably draw back across the Atlantic at some point and it is as well to recognize this in present policy.

I think this is unrealistic. In the age of supersonic flight and intercontinental missiles, no retreat from total involvement in human affairs is possible for America. We cannot retreat for we have nowhere to go. Our commitment to Europe is a lasting commitment, simply because we cannot survive alone in a friendless, hostile world in which modern science has made us completely vulnerable. And the notion of unilateral withdrawal as a solution for any problem was surely exploded in Korea—where we withdrew in good faith but returned with full force when our good faith was abused.

If this was so in an area of marginal security, it would be so a hundredfold in the heart of the Atlantic world. Those who see in any local disengagement the prelude to complete American withdrawal are rousing fears among our European allies which neither history, geography, science, nor our own profound interests justify.

They are also increasing the rigidity of those who believe that to negotiate over any modification in our defenses in central Europe would totally undermine our overall security. This suggestion of fragility seems to me all the more incongruous because in the West, European governments play from great strength, the strength of profound popular support, but the Communist states from the great weakness of profound popular rejection of their governments. The peoples of Eastern Europe are restive under Russian control and the situation is uneasy all along a hostile frontier which not only truncates Europe but divides Germany as well, leaving a scrap of free and unsettling territory in West Berlin as a perpetual pawn.

No one came to save the Hungarians from a massive Russian intervention. But if Western Germany were armed and the 1953 revolt of the East Germans were repeated, could the situation be held? Would local conflict suck in the intervention of the great powers? Even short of such ultimate disaster, this is the century of liberation from colonialism and we cannot be content to see it reestablished in Europe as it recedes everywhere else.

So the Soviets are trying to find some way to strengthen and consolidate their rule in Eastern Europe. One way to do it is to secure wider international recognition of the weak, unpopular East German regime, and some reduction in the menace of a free West Berlin supported by allied garrisons in the

middle of its territory. Hence, the maneuvering to get East Germany into the act at Geneva.

The Communists' overall solution for this mutually unsatisfactory situation in Berlin, in Germany and in all of Eastern Europe would leave the whole continent fatally weakened and exposed. It is, of course, impossible for us to accept it. And I have been a little confused by our constant ringing declarations that we won't betray West Berlin, or yield to threats, or make unilateral concessions. Of course we won't, and no one is proposing to.

But is the present Western alternative good enough? In some ways it appears to invite a return to the European condition between the wars. To restore full German sovereignty and the right to determine their future military alinement may be in keeping with democratic theory. But it is not in keeping with bitter experience of Russia and Eastern Europe in two terrible invasions. To stand rigidly on any such solution shows as great indifference to Russia's interests as the Russian plan does to Western needs and fears. And the precondition of any successful agreement is that it takes the other fellow's interests and prestige into account.

In such a situation we must negotiate and explore all the possibilities of compromise; for we cannot accept what each other has had to offer so far. We know what they can offer if they would. But what can we in the West offer or discuss in the search for comparable concessions?

Lots of things: The status of Berlin and the role of the United Nations; what kind of unification in Germany and when; the disposition and quantity of foreign garrisons in Berlin and Germany; the atomic rearmament of Germany; nuclear free zones in central Europe; a thinning out of conventional forces under international supervision; a general security pact guaranteeing each other; Germany's permanent frontier with Poland, etc.

I think we must keep steadily in mind two primary objectives:

1. Some limited disengagement of forces to reduce the risk of conflict leading to general war, and to increase the independence of the satellites.

2. The long-term goal of German unification to end an unnatural division which, like divided Berlin, will rise again and again to plague us.

But unification by free elections would immediately eliminate the Ulbricht regime. For this reason the Russians cannot accept it. But it is also, it seems to me, the reason why we can accept a compromise. A phased reunion of Germany leading to the reestablishment of party links in both Germanys to the restoration of free communication—of papers, books, ideas, as well as people—and to ultimate elections could hardly jeopardize the basic strength of free Germany, which is—that people want it. But it does give Russia a face-saving period.

I know that any solution of a divided Germany short of East Germany's total collapse is not popular in West Germany. But they, too, I believe, must weigh the opposite risk—a hopeless, endless perpetuation of Russian control in Eastern Europe. The status quo may keep Russia out of Western Europe, whither no popular force would invite them in any case. But the status quo also maintains their position in Eastern Europe, where every popular force wishes to see them gone and where the hope for liberation and political flexibility depends on their going.

I suspect that only one thing is certain: to reach agreements that are considerate of each other's prestige, interests and suspicions will take a long, long time. We cannot hope for quick solutions. In view of the fact that there is little enthusiasm anywhere just now for a unified and rearmed Germany, we must be realistic about the chances of present progress. A new U.N. guarantee in Berlin and perhaps a thinning out of troops under U.N. supervision may be all we can expect in tangible results from a summit meeting. But the beginning of a determined exploration of all possibilities would be a great gain and a heartening sign of Western initiative and desire for new vision and enterprise in world policy.

The deadlock may last for years. Meanwhile, our task is to create something solid and stable in the West. And I could add—to walk and talk softly, for a change, and to carry a big stick without brandishing it.

With the passage of time there is at least the chance that the nations of Europe, by continuing to fuse their sovereignty in a number of fields—iron and steel, atomic energy, the common market—will become steadily less capable of independent aggression. I question whether this point has been clearly made in Moscow. Mr. Khrushchev pretends to see in the European movement an attempt to unify power and resources behind a new aggression against Russia. The idea insults his intelligence. The aggressions of Europe have always been launched by one imperious, impetuous national force. To place any European power in a position in which its industrial potential can be mobilized for attack only in full agreement with the peace-loving Dutch or Belgians, or Russia's traditional ally, France, is to scotch the possibility of independent aggression.

Equally, however, if a creeping conquest of all Europe is still Russia's undeclared objective, nothing could more quickly wither its hopes than a decisive end to the destructive European "tribal" wars between Teuton and Frank, and the fusion in its place of all Europe's energies in common tasks of growth, well-being, and mutual benefit.

Thus, from either standpoint, the attempt at greater European unity is a matter of crucial importance to American diplomacy.

IV

At this point we leave our troubled relations with our enemies and begin to consider our—sometimes almost as troubled—relations with our friends in the free world. I am assuming, of course, that in the event of Russian obduracy, our allies in NATO will not shirk the burdens of maintaining equality of military power. I also assume that they are as committed as we to the search for controlled disarmament and international policing. But to agree on no more than this is to confirm the complaint that the Atlantic powers have no positive tasks. I doubt if any partnership can survive on a purely negative basis, and we have to discover what these common tasks should be.

I would suggest two policies of outstanding importance. The first is to prevent the hopeful experiment of the common market from ending in a disastrous division of free Europe between the six nations inside and the 17 outside the market. American diplomacy has every reason and right to concern itself intimately with this problem since the Marshall plan was the greatest spur to unity ever set in Europe's side. I think we should encourage the extension of the common market principle to Britain and the rest of Europe. I do not suggest that this will be simple. We do not yet know how such complicated problems as agriculture and industrial underdevelopment in Asia and Africa can be made to fit into Europe's plans. But we must seek to prevent hard and fast protective divisions from arising at this stage.

And I think in our planning we must foresee the possible if distant day when Eastern Europe, now nailed to the Soviet system with bayonets, may be able to adhere to a broad scheme of European economic unification.

Should North America be associated with a large free trade area arising in the rest of the free world? We shall not be able to avoid its repercussions in any event, and, with the same reservations for agriculture and for underdeveloped areas, few as they may be in the United States itself, I believe we should move over the next two decades toward a low tariff relationship with the other free nations. We could, I believe, meet any particularly strong local repercussions by direct subsidy for redevelopment—just as we are considering aid for our distressed areas now. But our economy as a whole would be strengthened, not weakened, by this new spur to make it truly competitive.

There is one condition under which all our plans for economic unification would fail: if the strongest economies in the free world did not expand steadily and draw up the underdeveloped areas in their wake. In the recent recession primary producers may have lost upward of $3 billion in export income owing to the fall in Western demand. The unrest in the Belgian Congo and the Rhodesias, like the rash of new military governments round the world, shows how speedily economic pressure will aggravate political instability.

I would say that the most important problem in the world today is the disparity in living standards, measured at the extremities roughly by the average income in the United States of $2,000 as against less than $100 for a third of the world's population. And the worst thing about it is that the rich are getting richer and the poor poorer. I would add that we must address ourselves to this problem with the same urgency as our national defense.

I would therefore argue that the great task of the NATO countries is not simply to intensify and increase their own economic relations. It is also to have a consistent cooperative plan for meeting the growing needs of the underdeveloped areas.

V

Here we meet the crux of the Atlantic world's relations with the uncommitted third of mankind. In any newly independent land, the local leader must find some substitute for the old struggle for freedom. Economic development is the essential alternative as the rising birth rate increases the pressure. It is the alternative everywhere in this century of 5-year plans, production statistics and big projects. The Western Powers have all manner of social inhibitions to overcome in ex-colonial lands and all manner of old friendships and understandings to nourish, but they cannot do so if meanwhile the economy is foundering under the weight of unsold cotton, rubber or copper, or if exports are blocked by the collapse of Western demand.

In other words, a sustained, long-term effort to draw the underdeveloped peoples through the portals of modernization, to give them an alternative to the Communist method of forced development, must be the central objective in any Western policy toward the uncommitted third of the world.

I do not need to spell it out. Its main principles are so well known and so widely discussed that some people have the innocent impression that a broad program is already in existence. One element is a large increase in the amount of capital available for Asian, African and Latin American development. One percent of national income from the wealthy West would provide between $4 and $5 billion a year, and probably no more could usefully be used at this time.

Another need is a reconsideration of Western tariff policy, which is heavily weighted against the underdeveloped nations. Yet another is a large increase in international liquidity to offset temporary fluctuations in trade. Yet another is a greatly expanded

educational program to cover not only technical training but administrative and cultural training as well. And in all this a precondition of success is sustained growth among the advanced industrial nations in the Atlantic area. Without sustained expansion in the West, no schemes of aid, trade, or stabilization have much chance of succeeding.

These measures would amount to a new economic charter for a third of the human race. They would fulfill the Western nations' obligation to use their overwhelming wealth for their neighbors' welfare. They would give some hope of mastering creatively the crisis of population in our time.

In so broad a program, it is difficult to establish priorities; but I would like to suggest two. The first is a sustained effort to create in Latin America the preconditions of more rapid modernization and economic cooperation. Encouragement of a common market, generous capital for the new regional development bank, schemes to sustain export incomes—these are some of the necessary steps and their urgency grows with each new forward bound in the Latin American birth rate.

The other priority is India. The whole political future of Asia depends upon India's experiment in freedom. We must see to it that the third plan is not crippled—as was the second—by lack of foreign capital and exchange. And we must do so now.

VI

All these points concern the actual content of policy; but diplomacy is not only a matter of aims and proposals. There belongs to it, too, a certain style, and manner which can have as much effect as content itself. It is therefore not irrelevant to add a word about the attitudes of diplomacy and the need for the training and the staff to sustain our policies in season and out, through crises and through lulls. We have neither the experience nor the men to do so today. Good ideas are advanced. There is no followthrough because the resources are not available. For instance, now that all the United Nations are drawn into the disarmament debate, a strengthening of our diplomacy on this subject is essential in every influential capital. And it is equally urgent in other spheres of constantly recurring pressure. Nor do we begin to compete with the Communists in the distribution of books and literature, for example. I doubt whether we can sustain a proper scale of international activity in economic matters without larger staffs better trained for the functions of assistance and development.

I would next urge that we should drop for all time the idea that one of the aims of American diplomacy is to earn gratitude from a beholden world. What we seek is a world in which our children need not live under the atomic shadow. We need it as much as anyone else, we have more to lose than anyone else, and no exchange of benefit is involved. And if it is the cost that is in question, I suggest that what we do to lift our neighbors' living standards is entitled to the same priority as what we do for our defenses.

And in the same measure we should be neither sure nor proud. We are part of a human experiment that may founder. We have all set our hands to a science we cannot control. We all stand on the edge of the mysteries of outer space. We all live under judgment before an infinite Godhead. It behoove's us, therefore, to express in all our dealings with other peoples our sense of belonging to one endangering family and sharing with it our part of hope and aspiration, our part of error and shame. Then perhaps our voice will be tolerable, our wealth forgiven, and men will sit down with us in amity to work for a better, safer world.

THE MISSILE PROGRAM

Mr. STENNIS. Mr. President, I wish briefly to invite the attention of the Senate to the pending military construction bill. It was hoped that it could be brought up either today of tomorrow, but now that is impossible. I do not know whether it will be brought up on Thursday. At any rate, one of the main provisions which has provoked some interest pertains to our missile program, particularly with reference to the decision of the Committee on Armed Services to undertake to bring to a definite head the very broad and highly important question of the overall evaluation of our continental defense system.

I warn the Senate that there is not a more serious question connected with the entire military program than is this one. I am quoting Secretary McElroy, himself, in that regard, given in open hearing.

The bill seeks to get a reevaluation of the missiles which are now being installed and put into operation in the entire continental defense system.

I understand that reports are now being circulated with reference to charges that there is an attempt made to kill the NIKE system. That is entirely false. That is not the purpose of the provisions of the bill. Let any system stand on its own merits. The fact is that we are pouring billions and billions of dollars into this system, which nearly everyone agrees needs a reevaluation.

The committee has discussed this question with the Secretary himself, with the Director of the Budget, and with many others who are in a position to know. We are of the opinion that this matter must be forced to a reevaluation and a decision.

Therefore I warn Senators of its importance, and suggest that they should not reach any hasty decision about it until they hear the actual facts about the need of the evaluation, and the committee's plan with reference thereto. We are ready to present the bill whenever it can be brought before the Senate.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. SYMINGTON. Mr. President, I support without reservation the decision and the action taken by the Military Construction Subcommittee of the Committee on Armed Services, under the chairmanship of the very able Senator from Mississippi [Mr. STENNIS]. As usual, in this matter, he has thought with clarity and such thought is reflected in his decision.

The record is clear that the Secretary of Defense asked Congress to help him make a decision between the relative merits of one ground-to-air defense as against another ground-to-air defense system.

In an effort to be constructive, the proper committee of Congress made a decision in this matter; and thereupon one of the services released a protest against this decision of Congress.

The Congress has a real responsibility, as, in effect, it is some sort of board of directors to the administration.

Therefore, after the chief executive officer of the Department of Defense requested a decision from this board of directors, one of the three vice presidents under him criticized the decision.

Inasmuch as, under our Constitution, administrative decisions are properly those of the executive branch, this is an extraordinary situation.

All this is compounded by the fact that, after a decision is made by a cooperating Congress, but one service objects to that decision, the Secretary of Defense now goes back to his original position and states that the programs of both weapons systems will go ahead.

It is this type of decision, or lack of decision, which is costing the American people many billions of dollars annually.

To further compound the bewilderment of Congress and the people, this morning the testimony of another service is released. That statement says that neither of these systems is desirable.

What is involved in this scene of indecision and service rivalry is vast sums of the taxpayers' money plus two weapons systems designed to defend against a small Soviet bomber force.

At the same time, action to build up our offensive forces is held down for budgetary reasons.

I again congratulate the able junior Senator from Mississippi for the position he has taken in this matter. I think that in the interests of solvency and security, the country, too, should congratulate him.

Mr. STENNIS. I thank the Senator from Missouri.

JOHN A. KENNEDY

Mr. MUNDT. Mr. President, the American press continues to give a notable record of outstanding service in presenting to our people reports on events throughout the world which are of vital importance to all of us.

Continuing in this fine tradition, is the publisher-editor in chief of the Sioux Falls (S. Dak.) Daily Argus-Leader, Mr. John A. Kennedy, who recently reported on an exclusive interview which he held with President Nasser, of Egypt.

I am particularly delighted in bringing this latest report of Mr. Kennedy's to the attention of my colleagues for two reasons. One, Mr. Kennedy is bringing to the American people important information which is worthy of our consideration, because his report sheds a bit more light on the thinking of one of the leaders in the critical Middle East area.

My other reason for citing Mr. Kennedy's report is merely to point out that it is not always a huge metropolitan newspaper which brings to us the so-called exclusive features which are quite typical of newspapers in leading American cities.

The Sioux Falls Argus-Leader, in my home State of South Dakota, while it is the largest daily newspaper in a five-State area, is by no means a metropolitan paper of the type we find in New York City, Chicago, or Washington.

However, despite that fact this outstanding newspaper is performing a service comparable to that found in our large cities. John Kennedy's recent interview

with President Nasser is an excellent example of this.

And I should point out, this is not the first such report from the able pen of Mr. Kennedy. Previously he has written an outstanding series of informative articles on his travels through Russia, which included an interview with Mr. Khrushchev. He was among the first to analyze and decipher the educational system of Russia.

Mr. President, I ask unanimous consent that Mr. Kennedy's interview with Mr. Nasser, which incidentally was released by the Associated Press to media throughout the country, be printed in the RECORD, at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Sioux Falls (S. Dak.) Daily Argus-Leader, May 18, 1959]

PUBLISHER INTERVIEWS NASSER AS CLIMAX TO LONG TOUR OF AFRICA—UNITED ARAB REPUBLIC HEAD VOICES PEACE HOPE—WOULD WELCOME NIXON VISIT

(John A. Kennedy, publisher-editor in chief of the Sioux Falls Argus-Leader, interviewed President Nasser of the United Arab Republic. This is his story as released by the Associated Press.)

(By John A. Kennedy)

CAIRO.—President Nasser says Soviet Premier Nikita Khrushchev has given him renewed assurances of nonintervention in Arab affairs.

The United Arab Republic President revealed this in a 2-hour interview at his home Sunday afternoon.

Asked if he considered these assurances convincing on the basis of Soviet performance, Nasser replied, "We will see."

Nasser expressed hope the Berlin and German problems "must be resolved by peaceful means."

The United Arab Republic President, in answer to a question, replied he would welcome a visit from Vice President NIXON en route to or from the opening of the American exhibition in Moscow next month.

Nasser also revealed he intends to hold parliamentary elections between 6 months and a year from now. This was the first time Nasser publicly announced the election time that specifically. He indicated his revolution had passed through the preliminary social and economical development phase and now the time was coming for political evolution.

Nasser revealed Khrushchev's promise of nonintervention in response to the question, "Has Khrushchev given you any renewed assurances of nonintervention in Arab affairs?"

The President responded, "Yes," but did not elaborate.

Wearing a white sport shirt which he proudly told me was made from Egyptian long-staple cotton, the President received me in the study of his home in a Cairo suburb. The house looked like that of a moderately successful middle-class businessman back home.

My interview was the climax of a 27,000-mile trip my wife and I had taken through the awakening countries of Africa. We did 7,200 miles by motor.

When I asked Nasser about the Berlin problem, he replied, "We all hope that it can be solved by peaceful means. Any other solution is preposterous. From my own visits in the destroyed cities of Russia and eastern Europe, now pretty well rebuilt from the devastation of World War II, I am sure no one of these people would follow a leader who advocated or precipitated war. * * * Everywhere I went in eastern Europe they told me they did not want any part in war."

I pointed out NIXON was visiting Moscow next month to open the American exhibit there and asked if he would welcome a United Arab Republic visit by NIXON either on his way to Moscow or returning home.

The President said he would welcome a visit by NIXON but added, "such a visit might provoke propaganda by Arab Communists that there was a plot between the United States and the United Arab Republic. Even so, we would welcome such a visit."

Speaking of the parliamentary elections, Nasser said he envisaged a political system for the United Arab Republic of a mixture of the American and British systems. He said he wanted a Cabinet responsible to an elected Parliament but he wants the president elected by the people.

I told Nasser an Arab student in Sioux Falls once said the United States was the chief troublemaker in the Middle East and asked if he shared that opinion.

"Well, there is the Eisenhower doctrine in which you supported some countries against others, and that resulted in considerable trouble," the President answered. "My advice is, don't try to pressure us. All these small countries with rising nationalism can best work out things in their own way."

Nasser said he welcomed American private investment in Egypt and believed his government offered adequate safeguards for the protection of capital invested here. He said there had been some private capital investment here and he welcomed more.

As to American Government help, Nasser pointed out the United Arab Republic needs, to complete its 5-year development program, 300 million pounds ($840 million), of which half is needed in foreign exchange.

"We will take that money from anywhere we can get it," Nasser said. "But we won't accept help if it has political strings attached. We won't sell our freedom for any amount of money."

Nasser reiterated his determination to keep his country neutral and not alined with any blocs. He said in doing this he was following a policy similar to that of Washington and Monroe when the United States was young.

Nasser reminded me that he had taught history in Egypt's staff college and had read copiously of the American Constitution and American history.

I told Nasser my home is in South Dakota, where we know little of international intrigue but are deeply concerned about international amity. I asked what we can do to promote a friendlier attitude between the United States and the United Arab Republic.

"You have a great responsibility in that respect," Nasser answered. "From our viewpoint, America needs a true picture of the Middle East and of the countries and problems of the United Arab Republic."

THE GREAT DECISIONS PROGRAM FOR THE STATE OF OREGON

Mr. MORSE. Mr. President, it gives me great pleasure, as a member of the Foreign Relations Committee, to bring to your attention this year the end results of the 1959 series of opinion ballots on important foreign policy questions, as cast by Oregonians in the Great Decision program.

This stimulating study program, organized and conducted by the Oregon State College Extension Service in cooperation with the Foreign Policy Association, is now in its third year. Great Decisions was originally launched in Oregon, and similar programs have since been set up in other States. Its purpose is to arouse interest in international affairs, through a series of small, informal discussion groups conducted among adults in both rural and urban areas. In addition, families and individuals can partake in great decisions, through cooperating television and radio programs, as well as newspaper coverage.

This year 25 counties in Oregon participated in great decisions in small, informal discussion groups; and other counties were represented through mass media programs. The enthusiasm and intelligence shown by the many adults in every walk of life who participated in this program is indeed inspiring, and I find great satisfaction in knowing that the great decisions experiment has been so extremely successful.

Mr. President, I ask unanimous consent that there be printed at this point in the RECORD, in connection with my remarks, the results of the Oregon opinion ballots on each of the topics under discussion during Great Decisions, 1959.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

OPINION BALLOT

(The great decisions of U.S. foreign policy must, under our democratic system, be made by the people. What basic directions do you believe U.S. policy should follow? And what specific policies—now being debated—do you support or reject? Discuss the facts, make up your mind and make your opinion count.)

FACT SHEET NO. 2

Section I: Basic approaches to U.S. policy in a divided world

1. Which of the following possibilities, in your opinion, does the United States need to take into account in building a realistic, long-term foreign policy? (Check all choices you agree with, avoiding contradictions. If you are uncertain, or feel you do not have enough evidence to answer "yes" or "no," check the "can't answer" box):

Cold war, in one form or another, will probably continue for some time to come. (a) Yes, 97 percent; (b) no, 0.4 percent; (c) can't answer, 2.6 percent.

Conflicts in interests among non-Communist nations will probably be with us for some time to come. (d) Yes, 93.8 percent; (e) no, 1.4 percent; (f) can't answer, 4.8 percent.

Communist influence in the world can be "contained" by a system of military alliances. (g) Yes, 15.1 percent; (h) no, 63.7 percent; (i) can't answer, 21.1 percent.

Continued negotiation on cold war issues is desirable. (j) Yes, 85.9 percent; (k) no, 5.2 percent; (l) can't answer, 9 percent.

Other non-Communist nations have the right to independent and even neutral cold war foreign policies. (m) Yes, 75.5 percent; (n) no, 7.6 percent; (o) can't answer, 16.9 percent.

A strong and well-coordinated Western alliance is essential to U.S. security. (p) yes, 69.9 percent; (q) no, 15.7 percent; (r) can't answer, 14.3 percent.

The people and resources of the non-Communist underdeveloped world are vital to U.S. security. (s) Yes, 90 percent; (t) no, 1.8 percent; (u) can't answer, 8.2 percent.

Comment: Figures shown above are percentages of total ballots.

Section II: U.S. policies in a divided world

2. On the basis of the above assumptions what U.S. policies would deal most effectively with a divided world? (Check all choices you agree with, avoiding contradictions):

In Relation to Our Western Allies

(a) Closer coordination of cold war political and military policies, 54.8 percent.

(b) Closer coordination of economic policies, 76.7 percent.

(c) More U.S. independence in foreign policy, 10.6 percent.

(d) Depend less on allies and concentrate on building U.S. economic and military power, 11.6 percent.

(e) Bolder policies to help solve economic and social problems in the underdeveloped world, 75.1 percent.

(f) More flexibility in dealing with the Communist powers, 27.9 percent.

(g) Refuse to be concerned with "competition" from the Communist powers, 12 percent.

In Relation to the Non-Communist and Underdeveloped World

(h) Attempt to enlarge the anti-Communist alliance system to include more nations on the borders of the Communist world, 32.9 percent.

(i) Attempt to persuade the rest of the non-Communist world to adopt firm anti-Communist policies, 31.7 percent.

(j) Place less emphasis on building the military capacities of underdeveloped allies and more on their economic and social development, 69.3 percent.

(k) Invest in greatly expanded trade and economic growth throughout the non-Communist world, 65.7 percent.

FACT SHEET NO. 3

Section I: Basic approaches to U.S. policy toward the Communist powers

1. Which of the following possibilities, in your opinion, does the United States need to take into account in building a realistic, long-term foreign policy? (Check all choices you agree with, avoiding contradictions. If you are uncertain, or feel you do not have enough evidence to answer "Yes" or "No" check "Can't Answer"):

It is possible for Communist societies to match the West in technology, production, and satisfaction of consumer wants. (a) Yes, 84.7 percent; (b) no, 7.6 percent; (c) can't answer, 7.6 percent.

A serious conflict in national interests, between the Soviet Union and Communist China, is possible. (d) Yes, 87.1 percent; (e) no, 5.6 percent; (f) can't answer, 7.4 percent.

Further revolutions in satellite Europe are possible. (g) Yes, 84 percent; (h) no, 5.3 percent; (i) can't answer, 10.7 percent.

An evolution of Communist society, leading toward greater personal freedom, is possible at least in the Soviet Union. (j) Yes, 72.8 percent; (k) no, 13.1 percent; (l) can't answer, 14.1 percent.

As the Communist states grow in economic power we can expect greater cold war emphasis on economic competition. (m) Yes, 89.9 percent; (n) no, 2.2 percent; (o) can't answer, 7.9 percent.

All-out war with the Communist powers is always a possibility for which the West must be prepared. (p) Yes, 84.4 percent; (q) no, 3.7 percent; (r) can't answer, 11.9 percent.

The West can best prevent the further spread of communism through adequate military preparedness. (s) Yes, 26.3 percent; (t) no, 50.6 percent; (u) can't answer, 23.1 percent.

All-out war is unlikely; United States must concentrate on world economic and social development. (v) Yes, 54.9 percent; (w) no, 20.7 percent; (x) can't answer, 24.4 percent.

Section II: Specific U.S. policies to deal with the Communist powers

2. Which of the following policies (proposed and in effect) deals realistically with the Communist powers? (Check all choices you agree with, avoiding contradictions):

(a) Western embargo on trade in strategic materials with the Communist bloc, 50.7 percent.

(b) U.S. total embargo on trade with Communist China, 19 percent.

(c) Concentration of U.S. foreign aid in countries which are U.S. military allies, 36.5 percent.

(d) U.S. commitments to reduce trade barriers and expand trade in the non-Communist world, 75 percent.

(e) U.S. military and economic assistance to Yugoslavia, 31.9 percent.

(f) U.S. economic assistance to Poland, 36 percent.

(g) U.S. refusal to have full diplomatic relations with Communist Albania, Bulgaria, China, Hungary, and Rumania, 20 percent.

(h) Present level of U.S. information programs overseas, 31.2 percent.

(i) U.S. assumption that communism in its present form is a passing phase, 7.4 percent.

FACT SHEET NO. 4

Section I: Basic U.S. approaches to the Middle East

1. Which (if any) of the following principles would serve as a realistic basis for U.S. policy toward the Middle East? Note that most of these statements do not necessarily contradict each other. If you cannot answer "yes" or "no," are uncertain or feel you have insufficient information, check the "can't answer" box:

United States has a moral and ethical responsibility to help people of the region realize their aspirations for better health, working and living conditions. (a) Yes, 79.2 percent; (b) no, 6.9 percent; (c) can't answer, 13.9 percent.

U.S. help in social and economic development of the area should depend on the willingness of local leaders to cooperate and commit their own resources. (d) Yes, 82.3 percent; (e) no, 4.4 percent; (f) can't answer, 13.3 percent.

United States should recognize that Arab nationalism is a legitimate force in the area, and we should try to accommodate our policies to this force. (g) Yes, 76.1 percent; (h) no, 4.1 percent; (i) can't answer 19.8 percent.

United States should not be so deeply involved as it is in Arab politics and rivalries of the Middle East. (j) Yes, 37 percent; (k) no, 21 percent; (l) can't answer, 42 percent.

Because of our commitments and strategic interests (Israel, Turkey, Iran, Baghdad Pact, oil, military bases, etc.) the United States cannot avoid an active role in the politics of the area. (m) Yes, 62.7 percent; (n) no, 14 percent; (o) can't answer, 23.2 percent.

2. On which (if any) of the following principles should the United States base its policies toward communism in the Middle East? If you cannot answer "yes" or "no," are uncertain or feel you have insufficient information, check the "can't answer" box:

Supply military and/or economic assistance to any Middle Eastern government which is threatened by aggression from international communism and which requests such assistance (Eisenhower doctrine), (a) Yes, 71.7 percent; (b) no, 5.5 percent; (c) can't answer, 22.8 percent.

Provide military and/or economic assistance to any Middle Eastern government which is threatened, if the threat comes in part from the outside ("indirect aggression") and if help is requested (as in Lebanon); (d) Yes, 62 percent; (e) no, 7.2 percent; (f) can't answer, 30.8 percent.

Take no military action in what are purely conflicts between Arab governments or between factions within Arab countries. (g) Yes, 64.8 percent; (h) no, 11 percent; (i) can't answer, 24.2 percent.

Recognize the Soviet Union's legitimate interest in affairs on its own borders. (j) Yes, 65.7 percent; (k) no, 8.5 percent; (l) can't answer, 25.7 percent.

Try to neutralize Soviet influence in the Middle East by working more effectively with new forces and new Arab leadership. (m) Yes, 74.7 percent; (n) no, 2.8 percent; (o) can't answer, 22.6 percent.

Try to neutralize big power conflicts in the area by bringing the U.N. more into Middle Eastern affairs. (p) Yes, 80.7 percent; (q) no, 10 percent; (r) can't answer, 9.2 percent.

Section II: Specific policy proposals for the Middle East

3. Which—if any—of the following policy proposals, now under discussion in Washington, would you be willing to support? (Check only those proposals you favor:)

(a) Try to restore normal pre-Suez relations with Nasser, including resumption of full economic aid program for Egypt, 30.9 percent.

(b) Try to work with any Arab leader who respects U.S. interests, 53.4 percent.

(c) Make no changes in present U.S. aid program in Middle East unless and until Arab States take the initiative in a regional development program, 23.8 percent.

(d) Participate financially in any Arab-sponsored development bank or institution that is set up on a sound basis, 48.3 percent.

(e) Continue U.S. aid and technical assistance programs country-by-country, 60.0 percent.

(f) Offer firm military guarantees to Israel to help defend its borders against possible Arab attack, 11.6 percent.

(g) Offer firm military guarantees to Jordan against possible attack from other Arab States, 10.5 percent.

(h) Attempt to reach agreement with the Soviet Union to ban further arms shipments, from any sources, to the Middle East, 40.0 percent.

(i) Counteract anti-Western, anti-U.S. radio propaganda in the Middle East by expanding U.S. information activities, 64.6 percent.

(j) Press in the U.N. for an expanded permanent U.N. Police Force in the area to help keep peace on the borders and to monitor radio propaganda and other forms of "indirect aggression" against the independence of Arab States, 67.4 percent.

FACT SHEET NO. 5

Section I: Basic approaches to U.S. policy in Latin America

1. In U.S. global foreign policy Latin America should receive:

(a) Higher priority than it has in the past, 72.5 percent.

(b) Lower priority than in the past, 1.9 percent.

(c) About the same priority as in the past, 12.7 percent.

(d) Other, 5.1 percent.

No answer, 7.8 percent.

2. The United States should adopt the following approaches to long-range economic, social and political development in Latin America (check statements or choices you agree with, making sure your answers do not contradict each others):

(a) United States should approach Latin America development problems on a regional basis, 39.4 percent; or

(b) United States should deal with Latin American problems on a country-by-country, rather than on a regional basis, 42.8 percent.

(c) United States should help solve the most urgent problems, as they crop up from year to year, 21.6 percent; or

(d) United States should commit itself to long-term programs to help solve basic regional development problems, 63.6 percent.

(e) United States should feel free to intervene on the side of democratic forces trying to overthrow totalitarian governments, 17.2 percent; or

(f) United States should keep hands off internal Latin American politics, 59.5 percent.

Section II: Specific U.S. policies toward Latin America

3. Which internal Latin American problems are important enough for the United

States to act on? (Check problems which, in your opinion, call for U.S. assistance):

(a) Improving educational systems, 79.4 percent.

(b) Encouraging development of democratic governments, 58.5 percent.

(c) Speeding up internal economic development, 41.3 percent.

(d) Diversifying internal economic development, 53.8 percent.

(e) Controlling disease and providing better health and sanitation facilities, 62.3 percent.

(f) Promoting greater U.S. private investment in internal economies, 46.8 percent.

(g) None, 0.9 percent.

(h) Other, 3.4 percent.

4. Which (if any) of the following policy proposals, already under discussion in Washington, would you be willing to support? (Check those you agree with, making sure your answers do not contradict each other):

(a) Try to find long-range answers to the commodity price problem by joining with other surplus-producing nations in joint studies, 74.8 percent.

(b) Stabilize U.S. imports of Latin American basic commodities by guaranteeing purchases and stockpiling at U.S. expense when necessary, 11.6 percent.

(c) Restrict U.S. imports of Latin American commodities which might damage U.S. producers (such as lead, zinc, oil, etc.), 14 percent.

(d) Protect U.S. producers with Federal subsidies but avoid restrictions on basic imports from Latin America, 10 percent.

(e) Expand present U.S. economic and technical assistance programs in Latin America, 63.4 percent.

(f) Undertake a greatly expanded program of regional economic development, involving long-term commitments and low-interest loans, 36 percent.

(g) Explore the possibilities of a regional (hemispheric) tariff and trade agreement to reduce trade barriers, stimulate regional trade and stabilize prices, 63.1 percent.

(h) Reduce or discontinue U.S. military assistance to dictators, 73.3 percent.

(i) Give preferential treatment to democratic regimes in aid programs, 43.2 percent.

(j) Deemphasize Government aid and leave more of the job of Latin American economic development to private enterprise, 25.9 percent.

(k) Expand cultural and student exchange programs and encourage the study of Latin American languages and cultures in U.S. schools, 93.2 percent.

FACT SHEET NO. 6

Section I: Basic U.S. approaches to world economic problems

1. How can the United States deal realistically with the world economic revolution? (Indicate whether you agree or disagree with the following statements. If you are uncertain or feel you do not have enough information to answer "yes" or "no" check "can't answer"):

United States needs to be concerned with economic development in only those countries which are important U.S. customers, or supply us with essential raw materials. (a) Yes, 10.4 percent; (b) no, 75.2 percent; (c) can't answer, 14.3 percent.

Long-term U.S. economic growth requires a healthy and growing world economy. (d) Yes, 88.8 percent; (e) no, 1.1 percent; (f) can't answer, 10.1 percent.

Economic growth in the rest of the world should be based on private and not government investments. (g) Yes, 25.4 percent; (h) no, 29.3 percent; (i) can't answer, 45.3 percent.

U.S. economy can afford a larger government investment in economic growth of the rest of the world than we are now making. (j) Yes, 33.6 percent; (k) no, 26.7 percent; (i) can't answer, 39.7 percent.

Reasonable U.S. trade policies and modest increases in foreign economic aid are not enough; a "crash" program is called for. (m) Yes, 15.1 percent; (n) no, 45.6 percent; (o) can't answer, 39.2 percent.

Section II: Specific U.S. foreign economic policies

2. Which of the following policy proposals, now being debated in Washington, will you support? (Check only those proposals you favor):

(a) Expand U.S. economic aid program (loans and grants), 16.8 percent.

(b) Reduce foreign grants but expand long-term, low interest loans, 45.1 percent.

(c) Expand U.S. technical assistance programs (skills and know-how), 79.6 percent.

(d) Channel more U.S. aid through U.N., 49.5 percent.

(e) Continue to give bulk of U.S. economic aid to underdeveloped allies, 30.3 percent.

(f) Place less emphasis on military aid to underdeveloped world, 58.5 percent.

(g) Take lead among industrialized democracies in a "massive" development program—economic and social—in non-Communist underdeveloped world, 34.2 percent.

(h) Through U.S. Government lending agencies, invest in more major public works in underdeveloped world (dams, irrigation, etc.), 45.4 percent.

(i) Take the lead in setting up regional development institutions in partnership with underdeveloped nations, 53.3 percent.

(j) Provide more U.S. scholarships to students from underdeveloped world, 79.6 percent.

(k) Encourage and provide incentives for more U.S. private investment overseas, 47.2 percent.

(l) Set up agency to coordinate U.S. Government and U.S. private investments overseas for maximum effectiveness, 42.3 percent.

(m) Make no major changes in current U.S. foreign aid programs, 5.4 percent.

(n) Insist that other industrialized nations pay larger share of the foreign aid burden, 25.4 percent.

(o) Take the lead in a world wide reduction of tariffs, 38.4 percent.

(p) Join other "surplus" producing nations (both developed and underdeveloped) in an effort to stabilize prices, prevent unfair competition and promote new markets for such troublesome commodities as coffee, cotton, wheat, lead, tin, zinc, etc., 64.1 percent.

(q) Use U.S. economic power to compete with the Soviet Union in the foreign aid field; offer any non-Communist underdeveloped nation lower interest loans at better terms, on worthwhile development projects, 33.6 percent.

(r) Refuse U.S. aid to any nation receiving significant amounts of Soviet aid, 12.7 percent.

(s) Eliminate restrictions on U.S. trade with Communist powers, 16.4 percent.

FACT SHEET NO. 7

Section 1: General approach to problems of the technological age

1. Which—if any—of the following principles should guide U.S. policies in the age of technology? (Indicate whether you agree or disagree with the following statements. If you are uncertain or feel you do not have enough information to answer "Yes" or "No," check the "Can't answer" box):

The military implications of modern technology are too complicated for ordinary citizens to understand; decisions in this area should be left to Government experts. (a) Yes, 33.9 percent; (b) no, 49 percent; (c) can't answer, 17.1 percent.

Under no circumstances should the United States permit the Communist nations to outdistance us in scope and quality of technology—either military or peaceful. (d) Yes, 44.5 percent; (e) no, 19.7 percent; (f) can't answer, 35.9 percent.

United States as a nation should invest more heavily in bringing the benefits of modern science and technology to our own citizens—medicine, transportation, power, etc. (g) Yes, 70 percent; (h) no, 14.7 percent; (i) can't answer, 15.3 percent.

United States should share its scientific and technological skills more extensively with the rest of the world and should try to benefit from the knowledge of other advanced nations. (j) Yes, 80.3 percent; (k) no, 4.5 percent; (l) can't answer, 15.1 percent.

There is a clear need for more information to be made available to and for more understanding by the general public of the problems and opportunities of the technological revolution. (m) Yes, 93.7 percent; (n) no, 1.3 percent; (o) can't answer, 5 percent.

Section II. Specific U.S. policies to deal with problems of the technological age

2. Which of the following policy proposals, now being debated, do you favor? (Check only those proposals you are willing to support):

(a) United States should agree to a ban on testing nuclear weapons which cause a significant amount of radioactive fallout, without waiting for an enforcible control system, 32.2 percent.

(b) United States must continue some nuclear weapons research until an effective control system is installed, 66.1 percent.

(c) U.S. policymakers should give highest priority to plans for an effective nuclear test ban and arms control systems, 62.4 percent.

(d) United States should not give up its atomic weapons under any circumstances, 30.9 percent.

United States should step up its peaceful atomic development at home through:

(e) Greater effort by Federal Government, 55.1 percent.

(f) Greater effort by private industry, 72.4 percent.

United States should make a greater contribution to peaceful atomic development in the rest of the world through:

(g) Direct negotiation with nations concerned, 26.8 percent.

(h) U.N. International Atomic Energy Agency, 74.7 percent.

United States should make every effort, including making more funds available, to insure the American educational system is equal to the Nation's needs, through:

(i) Increased Federal aid to public schools and universities, 50.5 percent.

(j) Public aid to private schools and universities, 15.1 percent.

(k) Greater State and community effort, 76.9 percent.

FACT SHEET NO. 8

Section 1. U.S. national interests in the world of the possible

1. In your opinion which, if any, of the following factors are part of U.S. "vital national interests" in today's world? (Check only those statements which you believe are important considerations for U.S. policy:)

(a) Closer economic, political and cultural relations with our industrialized, democratic allies, 64.1 percent.

(b) Continued healthy growth of the U.S. economy, 78.6 percent.

(c) Continued access to the raw materials and markets of the world, 74.4 percent.

(d) Faster economic growth in the underdeveloped world, 57.9 percent.

(e) Political stability in the underdeveloped world, 49.1 percent.

(f) Rapid extension of U.S.-style democratic institutions to underdeveloped countries, 12.1 percent.

(g) Expansion of world trade, 72.1 percent.

(h) Greater understanding abroad of U.S. people and institutions, 80.1 percent.

(i) Greater U.S. understanding of foreign peoples and institutions, 80.6 percent.

(j) In the long run, some form of world government, 60.5 percent.

(k) Sufficient military power to discourage aggression, 60.7 percent.

(l) Sufficient military power to wage any kind of war, total or small, nuclear or conventional, 37.2 percent.

(m) Disarmament, 15 percent.

Section II: Specific U.S. policies for today's world

2. Which, if any, of the following proposals now being debated in Washington will best serve U.S. vital national interests? (Check any proposals you agree with, do not check proposals you disagree with or are uncertain about; note that many proposals are not necessarily contradictory:)

(a) Continue U.S. military protection of Taiwan, 40.6 percent.

(b) Intensify U.S. support of Free China economy and culture, 23.8 percent.

(c) Recognize Communist Chinese Government, 24.3 percent.

(d) Try to normalize all relations with Communist China, 22.5 percent.

(e) Take a firm stand for earliest possible independence of all colonial peoples, 21.2 percent.

(f) Base colonial policy on careful appraisal of each situation, 63.8 percent.

(g) Provide the kind of U.S. assistance (where it is wanted) that will help colonial peoples build stable economic, political, and social institutions, 75.2 percent.

Base U.S. relations with foreign governments:

(h) On the degree of democracy they practice, 9.6 percent.

(i) On whether these governments enjoy popular support, 22.2 percent.

(j) On the fact that the governments are in power, 12.1 percent.

(k) On U.S. national interests in each specific case, 30.7 percent.

(l) Increase U.S. defense effort, 11.9 percent.

(m) Increase civilian defense effort, 21.2 percent.

(n) Maintain present levels of defense spending, 24 percent.

(o) Reduce defense expenditures, 9.3 percent.

(p) Spare no effort toward a workable arms control and inspection system, 56.1 percent.

(q) Work for strengthening of the U.N., 81.4 percent.

(r) Work toward political integration or union of Western democracies, 26.1 percent.

(s) Work toward world government, 50.1 percent.

(t) Work toward economic integration of the non-Communist world, 37.7 percent.

(u) Promote worldwide reduction of tariffs, 39.8 percent.

(v) Expand U.S. assistance to economic growth of underdeveloped world, 56.3 percent.

FACT SHEET NO. 9

Section I: General approaches to the problems of U.S. foreign policy

1. What, in your opinion, should be the role of the citizen in U.S. foreign policy? (Check any combination of the following statements which agree with your views:)

(a) To refrain from public debate during times of foreign policy crisis, 14.1 percent.

(b) To debate foreign policy freely at any time, 69.1 percent.

(c) To communicate freely with elected and appointed policymakers as individuals, 72.5 percent.

(d) To communicate freely with policymakers as organizations or special interests, 54.5 percent.

(e) To recognize that decisions sometimes have to be made, at the top, on the basis of information that cannot be made available to the general public, 82.8 percent.

(f) To avoid criticizing the administration in power, 16.0 percent.

(g) To take pains to keep himself well informed on foreign policy and related problems, 90.8 percent.

(h) To take active part in world affairs as individuals and through churches, schools, societies and private organizations, 81.8 percent.

(i) To take active part in community affairs, 89.8 percent.

(j) To work at perfecting democracy at home, 84.6 percent.

(k) To understand what policies are necessary and be willing to pay the price, 73.6 percent.

Section II: Recommendations for the practice of U.S. foreign policy

2. Which of the following proposals, now being debated, are you willing to support and, if necessary, help pay for? (Check the proposals you favor; if you feel uncertain or that you do not have enough information to answer "yes" or "no," check "can't answer.")

United States should encourage and help private enterprise to play a larger role in foreign investment and economic development. (a) Yes, 50.4 percent; (b) no, 16.8 percent; (c) can't answer, 32.8 percent.

United States should place greater emphasis on nonmilitary tools of foreign policy—economic development, cultural exchange, political cooperation, etc. (d) Yes, 85 percent; (e) no, 2.9 percent; (f) can't answer, 12.1 percent.

United States should make greater use of the U.N., wherever possible. (g) Yes, 82.8 percent; (h) no, 3.7 percent; (i) can't answer, 13.5 percent.

Diplomatic pay and prerequisites should be increased to permit career, professional diplomats to serve in more posts. (j) Yes, 66.8 percent; (k) no, 11.9 percent; (i) can't answer, 21.3 percent.

There should be more initiative, imagination and boldnes in the carrying out of U.S. foreign policy than is the case at present. (m) Yes, 48.2 percent; (n) no, 8.8 percent; (o) can't answer, 43.0 percent.

3. (For the information of your community "Great Decisions" leaders) What are your reactions to the "Great Decisions" program?

(a) Interesting and informative, 86.6 percent.

(b) Too complicated and difficult, 5.4 percent.

(c) Helped me see my opportunities and responsibilities as a citizen, 62.9 percent.

(d) Taught me little I didn't know before, 9.9. percent.

(e) Will make it easier for me to understand future news developments, 74.2 percent.

(f) Helped me change my mind on some issues, 50.1 percent.

(g) Had no effect on my attitudes or opinions, 4.0 percent.

(h) Worth participating in next year, 89.3 percent.

GROWING MENACE OF MAIL ORDER OBSCENITY

Mr. LAUSCHE. Mr. President, I am deeply impressed by the content of a news release dated yesterday, May 25, from Postmaster General Arthur E. Summerfield, on the subject of the growing menace of mail-order obscenity.

I commend Mr. Summerfield for his vigorous and forthright action to bring to an end the use of the U.S. mail service in the distribution of mail containing obscenity and pornography.

Mr. President, it is indeed unfortunate that there are those who invade the privilege of secrecy of the mail for schemes to degrade the morals of young America.

I vigorously and sincerely call to the attention of the press, radio, TV, and other news media in Ohio and in every other State throughout our country this important release by Mr. Summerfield, that they may give it complete and adequate coverage, in order that every parent in every home may be alerted to give adequate and full cooperation.

Mr. President, wholehearted adherence to the suggestions made by Mr. Summerfield will be a great step toward stamping out a great evil which threatens to engulf and destroy the morals of our youth.

Parents should observe every piece of mail received by their children, no matter how innocent it may appear on the surface, for it is under complete disguise that these monsters of evil and debasing influence seek to operate. I call upon the citizens of Ohio and of all the other States, and especially the parents, to heed the request of the Postmaster General, and to save any material that comes in the mail, that seems to have a demoralizing effect upon youth, and forward it to the Postmaster General.

Mr. President, I ask unanimous consent that the complete release made by Postmaster General Summerfield on this subject be inserted at this point in the RECORD, as a part of my remarks.

There being no objection, the release was ordered to be printed in the RECORD, as follows:

GROWING MENACE OF MAIL ORDER OBSCENITY—SMUT MERCHANTS CONCENTRATE ON CHILDREN—FILTH SALES TOP HALF-BILLION DOLLARS—POSTMASTER GENERAL DECLARES WAR ON RACKET—NATION'S PARENTS ARE KEY TO EFFECTIVE ACTION

WHAT IS THE MAIL ORDER OBSCENITY RACKET?

The vile racket that traffics in obscenity and pornography by mail has now reached a sales level estimated at more than a half billion dollars a year.

Relying on the historic sanctity of first-class mail in the United States, and liberal court interpretations of what constitutes obscenity, peddlers of filth can reach into virtually every home in America.

This is a matter of growing concern especially to American parents because teenagers and even grade-school boys and girls are becoming the principal targets of these racketeers.

The Post Office Department, which is responsible for enforcing the laws against transmitting indecent literature and film through the mail, estimates that merchants of filth will double the scope of their already extensive operations over the next 4 years unless parents and the decent-minded public join in a determined campaign to stamp out this racket.

Postmaster General Arthur E. Summerfield has emphasized that the absolute privacy of the mail is a basic American right, and that the Post Office Department cannot, and will not, violate this right, even when it has strong evidence that the mail is being used for unlawful purposes.

The Post Office Department, therefore, must rely on the complaints of an alert citizenry—of people into whose homes solicitation material is sent—to take action against the purveyors of mail order obscenity.

ANTIQUATED LAWS AND LIBERAL COURT INTERPRETATIONS A HANDICAP

Until August of 1958, however, an additional handicap was placed on the Post Office

Department. Obscenity laws had shackled the Government by permitting it to prosecute only at the point of origin of the mail. This meant that court actions were taken primarily in New York and Los Angeles, where interpretations of what is obscene or pornographic are much different from those in the average American community.

In recent years, the Post Office Department had urged Congress to amend the law so that prosecutions could take place where the obscene material was received, where the actual damage was being done, and where citizens would have an opportunity to express their standards of morality and decency. This amendment was enacted, and signed into law by President Eisenhower, in August of 1958.

Taking advantage of the new legislation, the Post Office Department during the past year has completed approximately 14,000 separate investigations, almost two-thirds of them based on complaints from American parents whose children received lewd solicitations for sales of obscene materials through the mails.

NO YOUNGSTER IS SAFE FROM SOLICITATION BY MERCHANTS OF FILTH

A child need not have indicated any interest in this trash to receive it in the mail. The racketeers openly solicit every young person whose name they can obtain, whether through the purchase of mailing lists, study of school classbooks, or through the use of fake business fronts. Postmaster General Summerfield says the Post Office Department has thousands of letters from indignant parents whose children received unsolicited obscene material soon after answering an advertisement to purchase some innocent item such as a baseball bat or a toy automobile, or whose names were obtained because they had joined a youth club or social group.

In a recent raid by the postal inspectors in New York City on just one dealer in pornography, 17 tons of highly obscene printed and filmed materials were confiscated, as well as mailing lists containing the names of thousands of high school graduates culled out of high school yearbooks.

The Post Office Department estimates that between 700,000 and a million children in American homes will receive unsolicited obscene and pornographic literature through the mails this year.

POSTMASTER GENERAL URGES CONCERTED ACTION

In testifying before Congress recently, Postmaster General Summerfield said:

"Ruthless mail order merchants in filth are violating the homes of the Nation in defiance of the National Government. They are callously dumping into the hands of our children, through our mailboxes at home, unordered lewd material, as well as samples soliciting the sale of even more objectionable pictures, slides, films and related filth. Unquestionably, these large, defiant barons of obscenity are contributing to the alarming increase in juvenile delinquency, as many noted authorities have publicly observed on repeated occasion."

Repeatedly, in the investigations of armed robbery, extortion, embezzlement and forgery, authorities find that those guilty of the crimes were early collectors of obscene pictures and films.

Authorities also point out that sex criminals and sex murderers almost always prove to have a long record of addiction to pornographic and sadistic material. Children who are never exposed to this material, it is noted, may nevertheless be victims of sex criminals who have been exposed to it.

In a speech in Washington in May 1959, Postmaster General Summerfield said the Post Office has diligently tried to keep the mails clear of indecent materials.

In the fiscal year of 1958, he stated, investigations conducted by postal inspectors caused the arrest of 293 persons. The Post Office General Counsel issued 92 orders barring use of the mails to dealers in pornography. The arrests in 1958 were 45 percent above the previous year, and—Mr. Summerfield predicted—will increase substantially again this year.

With the weapon of the new legislation in hand, he declared, the Post Office is greatly intensifying its campaign.

"We are, in effect," he said, "declaring war on these purveyors of filth, big and little, high and low.

"We are launching an intense and unrelenting effort to stop this monstrous assault on the Nation's children in every way possible.

"And we are confident that, with adequate public and legislative support, this job can be done."

FOURFOLD PROGRAM OF COOPERATION

To achieve this cooperation, the fourfold Post Office program is:

1. Drawing maximum public attention to the menace of this racket;
2. Urging parents to help apprehend the mailers of filth to their children;
3. Helping mobilize community support behind adequate law enforcement of local ordinances or State laws when these purveyors are apprehended and brought to court;
4. Rallying public opinion behind new and stiffer legislation on obscenity.

PARENTS OF AMERICA ARE KEY TO EFFECTIVE ACTION AGAINST THIS RACKET

Parents into whose homes obscene material is mailed are urged to take these two simple steps:

1. Save all materials received, including the envelope and all enclosures; and
2. Report the matter immediately to the local postmaster, and turn the materials over to him, either in person or by mail.

Postal inspectors stand ready to take action when evidence is received anywhere that the laws applying to the mailing of pornographic material have been violated.

The Congress has shown deep concern over this problem, and special committees are currently giving it serious and purposeful study.

In increasing numbers of communities throughout the country, parents, various organizations, civic groups, newspaper publishers and others are working together in determined efforts to help meet the racketeers' challenge.

By supporting and aiding the Post Office, and backing up Members of Congress and local officials who are fighting to stamp out this evil, they can look to the real success that is vital to the Nation's moral fiber and future welfare.

WITHDRAWAL OF THE FEDERAL GOVERNMENT FROM INVESTIGATION OF THE PARKER LYNCHING

Mr. LAUSCHE. Mr. President, the withdrawal of the Federal Government, through its agency of the Federal Bureau of Investigation, from the Mack Charles Parker lynching case, because of lack of legal authority and jurisdiction, unfortunately most emphatically and pointedly demonstrates the need for immediate action by Congress for the enactment of legislation which will clearly and unmistakably give to the Federal Government full powers of both investigation and prosecution in cases of this nature.

I am not speaking in defense of any wrong act which may have been perpetrated by Mack Charles Parker. Had he been found guilty after having been fairly tried, full sentence as provided by law should have been executed. But for a mob to first break into a prison and seize a human being from the protective custody of justice, then to torture and maim him, and finally to slay him, is such a flagrant mockery of justice that the Nation cannot and should not stand idly by.

In my opinion, the lynching of a human being on the basis of race or religion is a matter not only of State but also of National concern. We cannot on a National basis continue to close our eyes and look the other way when such grave obstructions of justice occur.

The Federal Bureau of Investigation undoubtedly is on sound legal ground when it states that, under present law, since no Federal offense was committed, it is without legal authority to use its investigators to apprehend the guilty and to present them for trial.

There is no question that justice will be better served if an adequate law dealing with lynching and the right of the Federal Bureau of Investigation to act is promptly passed by this Congress.

FOUNDING OF THE ELEANOR ROOSEVELT INSTITUTE FOR CANCER RESEARCH AT THE AMERICAN MEDICAL CENTER

Mr. NEUBERGER. Mr. President, the name of Eleanor Roosevelt has become synonymous in our time with humanitarianism and good deeds. As the name of her illustrious husband is forever associated with the conquest of infantile paralysis, so the name of Mrs. Roosevelt may in the future be linked with the possible conquering of an even more formidable medical problem—that of cancer.

In New York City, on May 23, 1959, occurred the founders' dinner of the Eleanor Roosevelt Institute for Cancer Research at the American Medical Center in Denver, Colo. Of course, Mrs. Roosevelt herself was the guest of honor. Ambassador Henry Cabot Lodge, head of our mission to the United Nations, and I were the speakers. Miss Faye Emerson, a member of the Roosevelt family, was mistress of ceremonies. Representative JAMES ROOSEVELT and Miss Marian Anderson, the gifted singer, appeared briefly on the program, as did Jerry Lewis, the noted comedian.

Since 1904 the American Medical Center has played an active part in the gradual solving of the grim dilemma of tuberculosis. Now that this disease has yielded in substantial measure to antibiotics and to improved techniques in chest surgery, cancer is a logical goal of study for the talented researchers and dedicated scientists on the staff of the American Medical Center. Indeed, a special honor award was presented May 23 to Philip and Gussie Diamond of New York, who were among the original benefactors of the American Medical Center some 55 years ago.

It was a high privilege for me to participate in a banquet attended by 1,200 people, which paid tribute to that illustrious woman whose sympathy for the oppressed is so genuine and so enduring—Eleanor Roosevelt. Ambassador

Lodge made a most moving address which described the esteem in which Mrs. Roosevelt is held at the U.N. Marian Anderson heralded Mrs. Roosevelt's innate simplicity and goodness. I praised the enlightenment of scientists who, in honor of Mrs. Roosevelt, were turning from tuberculosis to the greater and more urgent cause of cancer. JAMES ROOSEVELT, son of the guest of honor, expressed the gratitude of the entire Roosevelt family to those whose financial generosity is making possible this heroic undertaking in the field of science and medicine.

Messages of approval and good wishes were received from President Dwight D. Eisenhower, Vice President Richard M. Nixon, Gov. Nelson A. Rockefeller, Mayor Robert F. Wagner, National Democratic Chairman Paul M. Butler, Senator Jacob K. Javits, Senator Kenneth Keating, and many others.

Inasmuch as the Vice President is presently the occupant of the chair, I desire to digress briefly from my prepared remarks to point out that I think one of the principal highlights of good humor during the evening occurred when the Vice President's message was read. In this message he pointed out that although he and Mrs. Nixon had traveled throughout the world, whenever he was in a country, be it remote or well known, he always learned that Mrs. Eleanor Roosevelt had been there before them.

Mrs. Roosevelt herself spoke only briefly. Yet, as usual, she was succinct and in perfect taste. She said the cause was crucially important, and it was this compelling cause—namely, freeing mankind from the menace and fear of cancer—which had prompted her for the first time to lend her name to an organization of this kind.

Mr. President, all possible approaches and efforts must be combined in the study of the causes and possible cures of cancer. This means cooperation among private groups such as the American Cancer Society, the Sloan-Kettering Institute, the Damon Runyon Cancer Memorial Fund, and the soon-to-be-begun Eleanor Roosevelt Institute for Cancer Research. It also means increased Federal support for the National Cancer Institute, which is part of the National Institutes of Health, and which sponsors some 73 percent of all cancer research in this country.

I think my colleagues will be interested to learn, incidentally, that the new institute at Denver honors Mrs. Roosevelt during her 75th birthday year. This remarkable woman, still full of vitality and energy, will be 75 in the fall. We so regard Mrs. Roosevelt as indestructible that none of us ever thinks of her as becoming older—like ordinary human beings. She is in a class by herself, as we all realize. Ambassador Lodge said that her reputation in the world—the love and affection in which she is held—are assets to the United States.

Some people may wonder if all this research in the field of cancer will do the job, will make a breakthrough to rescue mankind from such a scourge. I only can give the answer written in the New York Times of February 22, 1959, by its eminent medical editor, Dr. Howard A. Rusk. He wrote:

When will the scientific breakthrough come to solve the riddle of cancer? Tomorrow or in the indefinite future.

No one knows. What we do know, however, is that the more scientists who are at work on the problem in laboratories all over the world the greater are the odds for solution, and the quicker that solution will come.

I subscribe thoroughly to Dr. Rusk's attitude on this crucial matter. Who knows? Perhaps some scientist, working in the laboratories of the new Eleanor Roosevelt Institute for Cancer Research, at Denver in the foothills of the majestic Rockies, may participate in that eventful and epochal breakthrough.

Mr. President, I ask unanimous consent to conclude my remarks with a very brief statement prepared by Eleanor Roosevelt herself, in describing the reasons why she has lent her illustrious name to the Eleanor Roosevelt Institute for Cancer Research, at the American Medical Center in Denver, Colo.

I also ask unanimous consent, Mr. President, to include in the CONGRESSIONAL RECORD a document which is pertinent and timely to both public and private undertakings in the field of cancer research. This is an interview from the May 25 issue of U.S. News & World Report with Dr. John R. Heller, the eminent Director of the National Cancer Institute. In this interview, Dr. Heller emphasizes that, because of medical research, an increasing number of cancer patients are being saved and cured, but that much still remains to be learned before cancer can, in any sense of the word, be regarded as a disease that has widely responded to successful treatment.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

STATEMENT BY MRS. ELEANOR ROOSEVELT

This hospital and research institute is closing a gap in the cancer field which needs serious study. There are all too few facilities in our country which can combine outpatient and hospital care of cancer victims with both clinical and basic research tied together.

I have in the past refused to give my name to any institution in this country. This Institute, however, will serve such a vital purpose that I have consented to make an exception in this single instance. The Institute can be of the greatest value for the estimated 40 million Americans now alive who will be stricken by cancer.

I hope that eventually this Institute will be able to broaden its scope to help cancer research in other countries. In this way it can make a profound contribution to the health and peace of the entire world.

[From the U.S. News & World Report, May 25, 1959]

IF YOU'RE WORRIED ABOUT CANCER—ADVICE FROM AN AUTHORITY

(Interview with Dr. John R. Heller, Director, National Cancer Institute, U.S. Public Health Service)

Question. Dr. Heller, is cancer a growing threat, or does it just seem to be that way because of the prominence of people suffering from cancer?

Answer. I think cancer continues to be a growing threat because the population is greater and more of us are growing to the older ages where cancer strikes oftenest. However, better diagnosis, better understanding on the part of the medical profession, a growing alertness on the part of individuals make it seem that we are having more cancer.

Question. Would this be true of all types of cancer?

Answer. Lung cancer is on the increase. I don't think there is any doubt about that. Other cancers—for example, stomach cancer—definitely are on the decrease. And some other rarer forms of cancer are decreasing in occurrence. Lung cancer and cancer of the gastrointestinal system are the ones which we fear most from the standpoint of their occurrence and, of course, dangerous to our population.

Question. Why are we more concerned about those?

Answer. Well, for one thing, the outlook is rather grim with lung cancer and, despite the decreasing amount of stomach cancer, the outlook is rather grim with stomach cancer, too, primarily because these sites are inaccessible and we cannot diagnose them early enough.

Question. What advice would you give to people who are concerned about these and other forms of cancer?

Answer. I think one of the first things that any person ought to do is to go to his physician or his clinic for regular checkups.

Question. Is there something that an individual should look for—any telltale signs?

Answer. Yes. There are a number of signs and symptoms which an individual can watch out for—such things as a lump that doesn't go down, a sore that doesn't heal, bleeding for which there is no explanation, unexplained changes in bowel habits, or persistent hoarseness. Those are the sort of things that an individual, when confronted with them, should at least promptly have looked into.

Question. For the individual concerned about lung cancer, it there anything special he should do?

Answer. An individual who is 45 years of age and over—and certainly one who is a heavy user of cigarettes—should have his physician check his chest by an X-ray and by physical examination, I would say, at least every 6 months.

Question. Would this be everybody?

Answer. Most anyone over 45, and certainly men over 45, whether you smoke or not, because lung cancer will attack men who don't smoke. However, most of the men who have lung cancer are those who are heavy cigarette smokers.

Question. Is it pretty well accepted now scientifically that cigarette smoking is a cause of lung cancer?

Answer. I would say that it is. I think that most of the scientific data show that excessive use of cigarettes gives one a greater risk of acquiring lung cancer.

Question. Do you think heavy smokers should cut down a bit?

Answer. Well, that's my view. I think that, if a man is a heavy smoker, if he can't quit completely, he ought to cut down as much as he can. And the best thing to do, I think, is to cut it out if he can—if he feels that he can give up the habit.

Question. For cancer in general, is there anything a person can do to double-check on all these warning signs?

Answer. An individual, first of all, has to watch his own body physiology and watch his skin and watch for the things which may mean cancer. If there is something that doesn't seem quite right to him, then I think that he should promptly go to his physician.

Question. And even though he has no symptoms, he should still go regularly for a checkup?

Answer. By all means.

Question. What should the checkup include?

Answer. The average physician in his offices has enough tools to do a good physical examination. It means that the physician is able to check the systems of the body which he knows from experience are most likely to be invaded by cancer.

By inspection and palpation and listening to the chest and the heart and giving as thorough an examination as he knows how—and they're pretty good—I think that most of the cancers that will be present can be picked up.

Question. Is the outlook improved now for the successful treatment of cancer?

Answer. I think it is. Certainly, the chances of getting well from given cancers are improving all the time, and, despite the rather dull tools we may have for some cancers, nevertheless, with better preoperative management, postoperative management, better understanding of anesthesiology and all of the general care of the patient, the outlook is better.

Around the turn of the century, maybe 1 out of 20 was being saved. Then, 6 or 8 years ago, it was one out of four. Now it is one out of three. With the tools now available we should be able to save one out of two.

And, while some people don't like odds like that—well, neither do we—nevertheless, it is so much better than it used to be that I have every reason to believe that we will improve them all along—"we" being the scientists and the medical profession.

Question. What types of cancer are yielding best to treatment?

A. I would say that the lower-bowel cancers are yielding best to surgery, and cancer of the thyroid now yields very well to surgery and other treatment. Most of the cancers that are accessible—certainly cancer of the reproductive organs of the female—are better treated and better handled now than ever before.

Question. These, then—the more common types—are really the ones that are doing the best—that is, we're getting the best results, with the exception of lung cancer?

Answer. That's right. The ones that have been killers in the past now are beginning to yield, and, of course, I think that's gratifying, because, if we can cut out the big killers, then we can get after all the rest of them.

The only one that has us really worried is carcinoma of the lung, which is mounting in occurrence. Of course, it's pretty rough to do anything with cancer of the lung unless it's picked up very, very early.

Question. How soon could cures for most of the common types of cancer be expected?

Answer. Well, that's a "toughy." I don't know. It would depend entirely on the cancer. Of course, if you can get a cancer that you know is a very early one and very promptly excise it, then I think you can expect almost a 100 percent cure. The trouble of it is that so frequently cancers which appear to be small already have spread to other parts of the body and one simply does not know it. The surgeon is reluctant or hesitant to say whether or not a cure might be effected in that particular instance.

Question. But for, say, lung cancer and stomach cancer, which are common among men, and for breast cancer among women, you don't see any immediate cures?

Answer. No, I don't. I wish I could say tomorrow or the next day, but I think, while the mortality rate probably will go down—I hope steadily—it won't go down fast. Nevertheless, I don't see anything right around the corner which could be construed as being excessively hopeful or favorable.

Question. Are there any chemical approaches that look very promising?

Answer. Well, in the chemical-therapy programs generally there are some drugs which look to be very good, but nothing that is the answer to all our prayers, or a miracle drug for cancer, yet. I think we have more and better compounds for treatment of far advanced cancer all the time, but still we don't have the ones we'd like to have. I hope we have them sometime in the future.

THE FARM SURPLUS MESS

Mr. KEATING. Mr. President, one of the gratifying developments of this session has been the growing realization on the part of people all over the country that something positive must be done about the problem of mounting farm surpluses. This is a theme Secretary of Agriculture Benson, responsible farm groups like the American Farm Bureau, and other knowledgeable people have been pounding away on for years, but with little success.

However, in the past few months, particularly, strong additional voices have been raised to object to the present ludicrous farm-support program. Already some small, hesitating steps have been taken by Congress in the right direction. There are signs that we are slowly, but surely, moving toward the day when the Government will be off the backs of our farmers and they will be free to run their own operations.

While farmers have special and unique problems which merit Federal help, we must press for means to return to private initiative and free enterprise competition the activities of our agricultural community. In this connection, I commend to the close attention of this body a recent editorial in the Christian Science Monitor, which makes sound, common sense comments on the farm surplus mess. I ask unanimous consent to have it printed in the RECORD following my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Christian Science Monitor, May 22, 1959]

PILING SURPLUS ON SURPLUS

Congress is showing greater concern about crop surpluses. But it does not yet appear ready to abandon its strange policy of promoting more surpluses by offering farmers incentives to produce ever larger crops. Instead it is seeking to push disposal of surpluses—even through the drastic means of "dumping" in foreign markets. That would be the effect of plans tentatively approved in the House of Representatives.

Already the Government is seeking through school lunches, through various channels of foreign aid, and through careful sales to cut down its stocks of food crops. Under the Surplus Disposal Act of 1954 shipments abroad now total roughly $7 billion. In all such disposal plans the Government takes a loss, for the stocks are either given away or sold well below the support price level at which it took them over.

Despite all these efforts, surpluses have continued to mount. They are now valued at roughly $9 billion. President Eisenhower pointed out the other day that by next year the Government will hold $3½ billion worth of wheat alone, 2½ times the Nation's annual food needs. Carrying charges and losses on the surpluses are running around $1 billion a year. The piling of surpluses on surpluses becomes yearly more ridiculous. So pressures are mounting for somehow reducing this too obvious evidence of a policy's failure. There has even been talk of burning wheat.

Burning is only a notch or two more desperate than "dumping."

Would it not be far more reasonable to tackle the surplus problem at the other end primarily? This would entail reducing the incentives to overproduction now provided by price supports. Both Houses of Congress are now toying with plans to grant price supports only on reduced acreage. This is supposed to reduce production. But acreage limits have not had that effect—for farmers simply increase the per-acre yield. To be effective the limits will have to be applied to production itself—or to really sharp cuts in price supports.

The price support program was first intended to insure wartime supplies, then to cushion somewhat the hardships of small farmers hit by the industrial revolution on the farm. But most of the aid goes into the hands of big operators who can make a profit at prices well below the support figure. An effort to change this by limiting payments to any farmer for a single crop to $50,000 has just failed in the House.

As the program now operates, it makes about as much sense as if Congress had tried to keep small motorcar makers in business by buying up cars at a fixed price that would cover their production costs. The more efficient companies would keep their prices up to that level and produce surpluses. These the Government would buy and "dump" abroad—at a loss. Meanwhile consumers at home would have to pay the artificial price and most of the small makers would find they couldn't compete anyhow. How long would the public stand for that?

The farmer has special problems—such as weather uncertainties—and deserves special help. But the plans to help agriculture have become very nearly as unsupportable as this hypothetical one for another hard hit industry.

SEVENTY-FIFTH BIRTHDAY OF SENATOR WILEY

Mr. PROXMIRE. Mr. President, today is the 75th birthday anniversary of my colleague, the senior Senator from Wisconsin, ALEXANDER WILEY. For my wife and myself, I wish him a very happy birthday, and the fervent wish that he may celebrate many more. My colleague has now served our State longer than any U.S. Senator in history, longer than either of the great La Follettes or any other man. He is a fine, warm, mellow, jovial, and very human man. He is a man with an unusually spiritual character, is firm in his religious faith, and devoted to his very charming wife. The remarkable length of his service in this body from a Wisconsin which has become famous for its rugged independence and disregard of partisan affiliation speaks eloquently for the warm and affectionate regard in which ALEXANDER WILEY is held by the people of our State.

Mr. KEATING. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield to the Senator from New York.

Mr. KEATING. I desire to join with the junior Senator from Wisconsin in extending best wishes to our colleague, Senator WILEY, on his natal day.

I think it is a fine gesture on the part of the junior Senator from Wisconsin to call our attention to this anniversary. I know that those who serve with ALEC WILEY enjoy that service, benefit from it, and hope that he will be here for many years to come to continue to serve with us.

Mr. PROXMIRE. I thank the Senator from New York for his gracious statement.

The PRESIDING OFFICER (Mr. NEUBERGER in the chair). The present occupant of the chair would like to join briefly in the good wishes and congratulations extended to the senior Senator from Wisconsin upon his 75th birthday. Few Senators are more popular or more enlightened, or deserve their enviable status more than ALEXANDER WILEY. We also honor the charming Mrs. Dorothy Wiley.

Mr. PROXMIRE. I thank the distinguished Presiding Officer, the junior Senator from Oregon.

LETTER FROM WALLIS WILDE TO HER GRANDFATHER, SENATOR WILEY, ON HIS 75TH BIRTHDAY

Mr. WILEY. Mr. President, when a man arrives at the age of 75, after 20 years in the Senate, he has a growing appreciation of the new values in life. I say "new," yet they are as old as man.

Today I received a letter from my granddaughter, Wallis Wilde, who is 16 years of age, and I ask that it be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MAY 20, 1959.

DEAR GRAMP: Congratulations and best wishes on this, your 75th birthday. We are all so proud of you: not only because of the fine job you are doing for your country, but because you are a self-made man.

Looking back over 75 wonderful years, you must be filled with a sense of gratification. You have four fine children: Betty, a competent teacher; Marshall, a lawyer and family man; Rosemary, a mother of two bright boys; and our Mom, a busy wife with four children. You have been a successful father, both in providing for your children, and in imbuing them with the proper values and standards.

As a Senator of Wisconsin, you have done many things for our State and for the individual citizens. The St. Lawrence Seaway, which will allow the lifeblood of Milwaukee to be enriched, and which will bring increased prosperity and new industries to this growing State, was built largely through your diligent legislative efforts. Each of us will be able to show our children the Wiley-Dondero lock, and say, "This was named after my grandfather. He was a wonderful man."

You are an inspiration to those who aspire to great things. You have proved the American dream. You have done your part in building a better America.

You have had a good life. And now you are fortunate enough to have Dorothy to share it with you. Happy birthday, Gramp. And I'm sure your vigor and enthusiasm for living will inspire me to write another of these lengthy epistles when you reach the ripe old age of 100.

Love,

WALLIS.

SUPPORT FOR MANSFIELD PROPOSAL FOR REEVALUATION OF FOREIGN AID

Mr. PROXMIRE. Mr. President, the assistant majority leader, the Senator from Montana [Mr. MANSFIELD], has proposed a drastic reevaluation by the Congress of foreign aid. I wholeheartedly agree with the Senator from Montana that such a reevaluation is desirable. I commend him for having proposed it.

Few can appreciate how dramatically and suddenly the world has been changed through foreign aid, and perhaps fewer still how this striking change has itself drastically altered the basis for these very foreign aid poliices.

The current—June 1—issue of U.S. News & World Report carries an article on foreign aid entitled "The World's Biggest Success Story." This is a happily appropriate title; but the article does not imply that policies which have led to a smashing success are now appropriate; far from it.

The article reports that in Western Europe, American foreign aid helped build an economy that is rapidly becoming approximately the same size as our own; and that is rushing toward a parity of productivity, and even a parity of living standards, with ours. In West Germany, France, Italy, and Britain, the economy has leaped in a dozen years from war-ravaged desolation to a strength that can only be appreciated in terms of their concrete achievements.

Last year West Europe produced more steel than the United States did. This year it will produce more than 4 million passenger cars. This brings it within striking distance of America's distinctive pride and joy product, the automobile. Last year Europe constructed 1.9 million dwellings, far more than we did.

This comeback is not confined to Europe. Japan, too, has become a thriving industrial giant, with steel production double that of the prewar period, and exports are triple their prewar value.

Mr. President, when it is recognized that in the first quarter of this year we bought from abroad very nearly as much as we sold, that in addition we are bearing the brunt of the defense of the free world, paying far more of our national income than our friends and allies, and our troops are spending billions abroad; that in addition to all this we are investing billions of American private capital abroad and a vast amount of aid dollars—when we recognize this, Mr. President, is it not appropriate that we take the kind of long, hard, thoughtful look at our foreign aid program the Senator from Montana has suggested?

Mr. President, I ask unanimous consent that the article in U.S. News & World Report entitled "The World's Biggest Success Story" be printed in the RECORD following these remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE WORLD'S BIGGEST SUCCESS STORY

(Reported from Washington, London, Paris, Bonn, Tokyo)

The world's greatest success story, lost in the confusion of a cold war, now can be written. This is the story of an idea that, in about 10 years, has brought much of the world from war and disaster to strength and prosperity.

If Mr. Eisenhower meets with Nikita Khrushchev this summer, the President will be the leader of a group of strong and confident nations of Western Europe. On his side, too, will be a restored and thriving Japan, rapidly returning to the status of a major power.

These are nations that were prostrate when war ended in 1945. They had barely begun to stir by 1948, when an idea dawned and America entered upon a venture that today has become the greatest success of the modern world. The idea was that of U.S. aid, amounting to billions of dollars each year, to help get the world back on its feet. As aid from Government took hold, private enterprise moved in.

The results, facts disclose, have been startling beyond the dreams of those who conceived the idea. In fact, the results are so startling that nations on the edge of ruin barely 10 years ago today are challenging the United States for leadership in many markets of the world.

When stock was taken in recent days, it was disclosed how an idea had remade much of the world.

THREE KINDS OF HELP

Here is what the facts show:

Government aid: People of this country, through their Government, in the years since 1946 have provided $74.2 billion in gifts and loans to other countries. Of this amount, $59.2 billion has been in the form of outright gifts.

These dollars went far to set up in business again the war-ruined countries of Western Europe and Japan.

Private aid: Individuals of United States, through the CARE relief organization and through their own donations, gave $6.7 billion. These all were gifts that did much to feed and clothe destitute peoples during the days after the war.

Added to Government aid and loans, the total that went from United States to help get the world back on its feet reached $80.9 billion.

Private investment: As the non-Communist world recovered, private industry discovered opportunities and began to invest on a growing scale in enterprises abroad. In years since the war, American businessmen have invested more than $27 billion outside this country. The scale of investment now is growing as more and more companies see overseas markets mushrooming in size.

Add private investment to private gifts and to Government gifts and loans, and you get a total of $107.9 billion. Those are gifts and loans and private investments on a scale never before dreamed of in this world.

THE SOVIET RECORD

And how does the total of U.S. help compare with the gifts, loans, and investments of Russia?

The Soviet total on a comparable basis over the same period amounted to $2.4 billion. Americans, as individuals, gave to their friends abroad more than twice as much as Russia provided in loans to the nations it dealt with.

Russia has made available in loans, gifts, and investments little more than one-fiftieth as much as has America.

At this point, there enters a whole new phase of the success story.

In all reports on Soviet activity outside Russia, the purchases by Soviet Russia of foreign goods are added to loans made abroad, and the total is referred to as Soviet "aid." By that definition of "aid," Russia has made available to the outside world about $30 billion in postwar years, if the ruble is valued at 4 to the U.S. dollar.

Apply the same definition to American aid, and the total becomes staggering. The United States, through purchases abroad, has made available $190 billion in postwar years. Add that sum to the $107.9 billion in gifts and loans and private investments, and the total becomes $297.9 billion.

The comparison: Soviet Russia, $30 billions; United States, $297.9 billions.

If there is a contest between Soviet Russia and United States to see which can provide the outside world with the most purchasing power, in rubles or in dollars, then the United States has won hands down.

WHERE THE MONEY WENT

What has the outside world done with its $297.9 billion?

The facts show this: Of the total $275 billion went to buy goods and services. Those dollars have rebuilt industries and cities. They have been used to purchase the latest in American machinery and to acquire the highest skills with which to make industry abroad fully competitive with American industry. At the same time, nations receiving the billions have used $11 billion to add to their financial reserves in gold and dollars. Remaining billions have gone for many other purposes.

Today, more and more high officials of the U.S. Government are beginning to wonder if the great success that Americans brought to their foreign friends isn't actually too great for comfort.

West Germany, a heap of rubble 10 years ago, now is crowding American industry in competition for world markets. France has gone through a period of great economic growth. Instead of asking for more aid from United States, France at this time is making payment on outstanding loans ahead of time.

Great Britain, in this period, has modernized her industry and is holding her own in a highly competitive world. Italy has grown from an impoverished state into a thriving industrial community. The Japan that was devastated by war is booming today—operating at levels far higher than ever before.

FROM ALLIES, A CHALLENGE

So great has been the success of American plans to aid its friends that this country today finds itself challenged by those it helped. As officials look around, they note this:

The American dollar, once a proud currency—the strongest in the world—now is selling at a discount in terms of some foreign currencies. Rumors in the financial centers of Europe are that the dollar may have to be revalued—depreciated in relation to gold. The dollar scarcity that alarmed planners not many years ago has been turned by U.S. generosity into a superabundance of dollars in Europe.

Gold is flowing away from United States as some countries turn their immense reserves of dollars into gold. Foreigners at this time hold claims to $12.7 billion of the $20.3 billion of gold in the U.S. stockpile. If these foreigners ever exercise those claims, this country could find itself in a severe financial squeeze applied by those who enjoyed so much U.S. generosity.

Goods from abroad are coming into United States to capture more and more markets. The industry that United States spent billions to revive and that U.S. industry helped to teach efficient mass production is able now to undersell its teachers in a growing number of fields.

A NARROWING GAP

A glance at a few figures helps you to see how great has been the success of the U.S. effort to build up the outside world.

In 1948. In that year, when this country began its program of large-scale aid to other nations, the U.S. bought from abroad $7.1 billion worth of goods of all kinds. It sold $12.6 billion worth of goods abroad. Here was a gap of $5.5 billion. Gifts of dollars were designed to bridge that gap so that other countries would have the means to go on buying in the United States.

In 1959. It is now 11 years later. In the first quarter of this year, United States bought from abroad at an annual rate of $14.3 billion. That is double the 1948 rate. It sold abroad at an annual rate of $15.4 billion. The gap had narrowed to $1.1 billion. Aid, however, continued to flow abroad in an amount exceeding $4 billion a year. In addition, billions were spent by American troops stationed overseas. This meant that other countries are continuing to build up their dollar reserves at a rate of at least $3 billion a year.

PRODUCTION RACE

The transformation can be looked at another way.

West Europe: Not long ago the industry of West Europe was flat on its back. Yet, in 1958, the industry of West Europe, prostrate 10 years earlier, produced more steel than the United States produced and much more than the Soviet Empire produced. Last year, West Europe turned out 3.6 million passenger cars, and this year will produce 4 million—within reach of last year's U.S. production. As many trucks are being produced in Europe as here. Europe's industry last year built 1.9 million new dwellings, or far more than the United States.

West Europe today is beginning to rival America as an industrial power.

Japan. When war ended, Japan was a shambles. Its industry was producing at 10 percent of the prewar rate. Today it is producing at double the prewar rate. Exports have tripled their prewar value. Steel production has gone from a prewar rate of 6.8 million tons to a level of 12.8 million tons.

Japan, thanks in part to American aid, once more is a thriving industrial nation.

FIGHT FOR MARKETS

The industry abroad that American aid did so much to revive often is able now to undersell the products of American industry both in this country and outside.

New cars from Europe have crowded into American markets. Europe is underselling American producers of more and more kinds of machinery. Imports of iron and steel products are in a strong rise. The same is true of farm machinery and of many other types of manufactured and semimanufactured products.

At the same time, U.S. industry is finding competition for markets keener. It has lost much of its overseas market for automobiles. The world looks to other than American producers for more and more types of manufactured products. American manufacturers discover, too, that many nations receiving aid from United States are keeping up their barriers against American products.

LURE FOR CAPITAL

So enticing is the prosperity of the world outside United States that American investors are sending more than $3 billion of private capital abroad each year for investment. A growing number of American companies are entering the foreign field, often to produce goods not only for markets abroad but for sale back in United States.

All of this is part of the story of success that has grown from American generosity in postwar years. That generosity, in fact, has been so great that it accounts, in part, for the inflation within United States that is making it more difficult for this country to hold its competitive position in the world.

Then there is another situation that is beginning to draw attention.

In addition to supplying dollars of aid, the United States has undertaken the principal burden of defense for the non-Communist world.

People of this country are devoting more than 10 percent of their total effort to defense. American forces are in every corner of the non-Communist world wherever their presence helps to serve as a barrier to Communist penetration. Americans are assuming this burden with no apparent complaint.

This country's allies—now strong industrially—are not assuming equal burdens in the defense of the free world.

Great Britain, next to United States, is shouldering the largest load proportionally, 7.5 percent of her national effort. Then comes France, with 6.8 percent, and Canada, with 5.6 percent. West Germany is devoting 3.4 percent to defense, and Japan a negligible proportion.

America, in other words, is seen by some officials to be the protector as well as the benefactor of a large part of the non-Communist world.

CAN UNITED STATES KEEP ON?

The question being raised is simply this: Has the United States undertaken to do more than it can do abroad and at home without weakening its currency and its competitive position in the world? In its desire to help others has this country reached a point where it might hurt itself?

A stirring of interest in those questions is beginning to show itself in the U.S. Congress.

Success that has grown from an idea of 1948 may turn out to have been too great for America's comfort.

LIVING COSTS INCREASE, FOOD PRICES DECREASE

Mr. PROXMIRE. Mr. President, the Associated Press recently reported that the cost of living is back to the highest level in history.

The fact that prices did not break through the all-time record is as significant as the fact that living costs have moved up to tie it.

The Associated Press called State and local taxes principal culprits in shoving the cost of living up.

The farmer and his enormous and vehemently maligned productivity was responsible for keeping the cost of living from shooting up to a new high last month. Food prices dropped enough to offset all other price increases.

Mr. President, I think it is time the farmer got a pat on the back instead of a torrent of abuse for the magnificent job he is doing in improving his efficiency, and in cutting farm costs and food prices in the process.

Think of it, food prices actually dropping in spite of the increase in capital and labor costs in the food-processing industry, farm efficiency so great that food costs are down in spite of the vast improvements in built-in maid service for the preparation of the foods the housewives are buying. Is it not time to see some virtue in the man who has increased his efficiency more and works longer hours with a far lower return than anyone else in our economy—the American farmer?

No one deplores the necessity for the wasteful and costly farm price support program more than does the farmer. But, Mr. President, I suggest that even if we add the total cost of the farm program to the prices farmers are receiving for their food, we will find that farmers are working harder, producing more and getting less—far less—than the rest of our citizens.

Our Democratic Party has promised a new and improved, less costly, more effective farm program, and I am going to keep hammering away until we deliver on that promise—and the sooner we deliver the better. But meanwhile

let us be fair and recognize that even now the American farmer is doing a magnificent job—indeed, far and away the best job of any economic group—of building up a technologically sound, economically productive economy. It is a sad commentary on our understanding that in view of his record, the farmer has been maligned, castigated and condemned because Congress has not fulfilled its responsibility.

Mr. President, I ask unanimous consent that the article by Mr. Norman Walker of the Associated Press on living costs and food prices be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LIVING COSTS EQUAL HIGH, BUT FOOD PRICES DECLINE

(By Norman Walker)

Rising State and local taxes helped shove living costs back up to record levels last month. The Labor Department reported yesterday that recent boosts in sales and excise taxes on such items as gasoline, tobacco, telephones, and liquors are having an impact.

It said taxes already enacted and contemplated—as States and cities seek more revenue—could boost living costs to still higher peaks this summer.

In Washington, food prices declined 0.3 percent, mostly because of lower prices for eggs and poultry. Fruits and vegetables were higher. The April index, 118.5 stood 3.8 percent lower than a year ago and 4 percent below the 1958 peak.

The April rise in national living costs was only two-tenths of 1 percent but it put the Government's living-cost index back up to the highest-ever rate of last July and November at 123.9 percent of the 1947–49 base.

April costs were three-tenths of 1 percent higher than in April last year. But overall living-cost changes have been moderate for nearly a year now.

Despite the new cost of living rise, both the spendable earnings of factory workers and the purchasing power of their pay dollars scored new highs. Because prices have remained fairly stable while earnings have increased, the average factory worker now has about 10 percent more purchasing power than a year ago.

The new record for spendable earnings—the amount received in pay envelopes after tax deductions—is an average $80.68 a week for the factory worker with three dependents and $73.14 for the single worker. The Labor Department attributed the half-dollar weekly increase over March to both higher wages and overtime hours.

Most of the 1½ million workers due for a quarterly pay adjustment based on the April living cost index failed to get any wage increase. This is due to insufficient change from the January index.

Among those whose pay remains unaffected are about one million auto workers. About 160,000 workers in a score of other industries get raises of from one-half to 1 cent an hour.

Food costs declined one-tenth of 1 percent in April as lower prices for eggs, poultry, and milk more than offset seasonally higher prices for fresh fruits and vegetables.

Eggs are at their lowest prices since 1946.

Housing and clothing costs remained unchanged but prices of transportation, medical care, recreation, and personal care were up.

The transportation cost rise was attributed to increased prices for used cars, gasoline, tires, and auto insurance. New-car prices were lower as dealers gave bigger discounts and stocks rose to a near record.

H. E. Riley, Labor Department price chief, said newly raised cigarette taxes in New York, sales taxes in Washington State and West Virginia, and telephone taxes in Pennsylvania were having their effect on consumer prices. The same is true, he said, for higher real estate taxes generally this year.

FEDERAL AID TO EDUCATION

Mr. PROXMIRE. Mr. President, I am sure most Americans will agree with the President of the United States and our leading scientists that we should increase the amount we spend on education. The President in a statement this weekend said we should double what we spend on education.

Mr. President, I respect the office of President, and, like most Americans, have affectionate regard for the present occupant of the Presidency, but this recommendation reminds me of the old French proverb: "Why be a hypocrite when it's so easy to be self-deluded?"

Mr. President, this is but the latest of a series of similar recommendations; notably, the report of White House Conference, headed by Neil McElroy; the report of the National Citizens Commission for Public Schools, headed by Roy E. Larson; and the Rockefeller Brothers Fund report on education. Several times recently the Secretary of Health, Education, and Welfare has asked that teachers' salaries be doubled; but, Mr. President, what happens? What is done about it?

Why do we pay our teachers so little that we have far too few of them, and are actually losing rather than gaining qualified teachers every year?

Why are there still millions of American children jammed into inadequate school housing with local taxpayers turning down proposed bond issues to build new school facilities?

Why, 10 years after the late great conservative, Mr. Republican, Robert A. Taft, called for Federal aid for education as essential to fulfill the American dream of equality of opportunity for all American children, is there no proposal worthy of the name from a Republican administration which has been in office more than 6 years?

Why does the Republican administration denounce proposals warmly approved by the National Education Association and call these proposals spendthrift and wasteful? And in 1958 why did it call for the defeat of Senators who supported the bill drafted to carry out these proposals—the Murray-Metcalf bill because according to administration spokesmen and campaigners, this sort of proposal indicated irresponsible spendthrift proclivities?

Why does the administration persist in a hard money policy which totals far more in costs to education than the total of the most generous educational assistance program the President has proposed?

Mr. CLARK. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield to the distinguished Senator from Pennsylvania.

Mr. CLARK. I should like to commend my friend from Wisconsin for bringing the administration's attitude toward Federal aid to education to the attention of the Senate. As a member of the Committee on Labor and Public Welfare, I am assisting in the consideration of the Murray-Metcalf bill, which to my way of thinking presents the proper method of attacking the shocking lack of adequate facilities for education throughout our country. The administration seems completely to forget the fact that there were twice as many babies born in America in 1956 as were born in 1936, and that we are doing absolutely nothing at the Federal level to prepare for the enormous increase in enrollment in our schools which is already on its way and which will continue to a greater and greater extent as time goes on.

I had the pleasure of sitting with the Education Subcommittee of the Committee on Labor and Public Welfare when that very fine citizen, Mr. Flemming, and his equally splendid assistant, Mr. Elliot Richardson, came before the subcommittee to attempt to defend the administration proposals for aid to education. It was almost laughable to note how weak a case they had, and how utterly inadequate the administration proposals are. They are proposals of inadequacy made in the teeth of the various reports to which my friend from Wisconsin has referred.

I wonder if my friend from Wisconsin has seen the editorial published in this morning's Washington Post and Times Herald entitled "Another Bad Report Card," in which the editorial writer comments on the inadequacy of President Eisenhower's reaction to his own Killian Committee report, pointing out that all the President said was that the report was "an excellent statement of educational goals and needs."

Is the President in favor of these educational goals and in favor of doing something to meet these needs, or is he merely going to talk about them? It appears to be pretty clear the President is merely going to talk about them.

With the consent of the Senator from Wisconsin, I should like to ask unanimous consent that the editorial published in the Washington Post and Times Herald, to which I have referred, be printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

ANOTHER BAD REPORT CARD

President Eisenhower's comments on his Science Advisory Committee's education report were as disappointingly vague as the administration's attitude toward the Nation's school needs has been vacillating. The committee, headed by James R. Killian, Jr., the President's science adviser, stated forthrightly that the United States ought at least to double its $18 billion annual outlay for schools, but Mr. Eisenhower merely said that the report is "an excellent statement of educational goals and needs."

The President seems still to place more value on theoretical budget balance than on such vital needs as more adequate education and augmented defense. If the Eisenhower administration had supported a comprehensive Federal aid to education program 5 or 6 years ago the deficit in school facilities and faculties might not be so great as it is today.

This year the administration has even disowned its modest school construction pro-

gram and has asked Congress to aid only those school systems with truly desperate financial problems by helping them pay off their construction bonds. Yet a broad Federal aid program is necessary if all schools are to be brought up to the desired and attainable levels recommended by the Killian Committee and other studies of education. Many cities and States have about exhausted the school tax revenues that are available to them. If Americans are getting weary of reports on the need to improve education it is because of the failure of both the Eisenhower administration and Congress to help solve a problem which has become so distressingly obvious.

Mr. CLARK. I thank my friend for yielding.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that I may proceed for an additional 2 minutes.

The PRESIDING OFFICER (Mr. YOUNG of Ohio in the chair). Is there objection to the request of the Senator from Wisconsin? The Chair hears none, and it is so ordered.

Mr. PROXMIRE. Mr. President, I thank the Senator from Pennsylvania for his contribution. I think it was a very helpful and important contribution.

Mr. President, we are now, it seems to me, in a position with regard to education in which the administration must do more, as the Senator from Pennsylvania said so well, than simply talk about educational goals. Every expert who has thoroughly studied the problem of education comes to the same conclusion, regardless of whether he has a conservative or liberal inclination in political philosophy. The conclusion is that the local communities simply cannot pay for a doubling of educational facilities.

The only way we are going to achieve a doubling of the contribution to education is for the Federal Government to take action. It is true that the Federal Government, the administration, has made a proposal—and I am sure it was a sincere one—to assist education. It was a proprosal very largely built around the notion of Federal guarantees of school bonds, when such was necessary. It would contribute only a tiny fractional percent of the cost of education.

Mr. President, I should like to conclude my remarks by pointing out that of all the policies of this administration the one which has been most harmful to education has been the hard money policy. Only yesterday I was talking to National Education Association officials, and they pointed out to me that an increase of 1 percent in the interest rate adds 25 percent to the cost of school construction, if the school construction is to be paid for over a period of 40 years, which is about the standard time. In fact, in the last year interest rates rose about 2 percent, and this will mean the cost of financing school construction will increase by 50 percent of the cost of the construction itself exclusive of interest, which is far more than the most generous proposal for assistance to education. It is far more in total cost than the total benefits which would flow from the most favorable proposals for Federal aid to education.

Mr. President, in view of the fact that the only substantial, widely supported educational proposal which is before the Senate of the United States is the Murray-Metcalf bill, it seems to me it is time the leadership of our party acted so that all Senators can have an opportunity to indicate whether they truly believe we should not only approve of more and better education but should pay for it.

Mr. President, I yield the floor.

REPORTS OF RAILROAD ACCIDENTS TO THE INTERSTATE COMMERCE COMMISSION

Mr. MAGNUSON. Mr. President, on May 15, at the request of the railroad brotherhoods, I introduced S. 1964, a bill to amend the act requiring certain common carriers by railroad to make reports to the Interstate Commerce Commission with respect to certain accidents in order to clarify the requirements of such act.

I ask unanimous consent that there be printed in the RECORD a statement explaining the purpose of this proposed legislation.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

S. 1964 is designed to carry out the original intent of the Accident Reports Act of 1910 (36 Stat. 350) that there be reported to the Interstate Commerce Commission all collisions, derailments, or other accidents resulting in injury to persons, equipment, or roadbed which arises out of the performance by a railroad of its transportation business. The necessity for such amendments has developed as result of actions by the Interstate Commerce Commission inconsistent with this purpose which, over the years, have narrowed the scope of the Accident Reports Act and the accidents to be reported thereunder. This narrowing process has been accomplished through the adoption of rules and regulations of the Commission for the reporting of railroad accidents. The most serious limitations have occurred as result of the Commission's definition of the phrase "arising from the operation of a railroad" as used in the statute, and its definition of accidents which are reportable.

The Commission's interpretation of the phrase "arising from the operation of a railroad" has not only been inconsistent with the purposes of the statute, but has also been inconsistent with the views of its staff. It would appear to be clear from reading the statute that it was the intention of Congress in using this phrase to cover accidents arising out of a railroad's rail activities, as distinguished from a nonrail activity such as operating an oil pipeline, lumbering, or drilling oil wells. However, the Commission by regulation has now limited the phrase to only those activities involved in the physical construction, operation and maintenance of railroad facilities and equipment. They thus have excluded many activities which are a necessary part of a railroad's operations. The Commission's explanation for its action in thus limiting the obvious purpose of the statute is that it has been advised by its lawyers that this is the correct construction of the act. However, a review of the legal memoranda submitted to the commission by its General Counsel's office shows that the Commission has not only been inconsistent in its interpretation, but at the present time it is following an interpretation which has subsequently been rejected by its own lawyers. The interpretation now followed by the Commission was originally contained in a legal memorandum, identified as No. 8106, dated February 13, 1952. However, nearly 3½ years later, on September 19, 1955, the then Acting General Counsel of the Commission, Mr. Samuel R. Howell, expressing the following opinion, said:

"As a general principle, it is my opinion that the term 'arising from the operation of a railroad' as used in the act includes, but is not necessarily limited to, the transportation, maintenance, construction, servicing, repair, and loading and unloading, performed under the supervision of the railroad by its employees, as incidental to, or as an adjunct of, its train service."

This memorandum recognized that it had the effect of broadening the previous interpretation of the scope of the Accident Reports Act. Yet, the Commission's interpretation has been the narrow one previously noted which defeats the purpose of the statute.

The Commission has further defeated the purposes of the statute by utilizing its authority to adopt rules and regulations thereunder so as to limit accidents which are otherwise reportable. Thus, it is the present rule of the Commission that an accident resulting in injury to an employee on duty is reportable only if it is sufficient to incapacitate him from performing fully and acceptably all of the duties customarily included in his assignment at the time of injury for more than 3 days in the aggregate during the 10 days immediately following the accident. There is no statutory justification at all in the act for this Commission action in limiting accidents to employees to be reported. The act itself requires the reporting of all collisions, derailments, or other accidents resulting in injury to persons, equipment, or roadbed and does not place any kind of limitation depending upon the extent of the injury or the number of days that the employee involved may be fully incapacitated. This limitation has the effect of eliminating from the reporting requirements a substantial number of accidents to employees, thus giving a completely distorted view of the accident situation on the railroads as to employees so that neither the Congress nor the Commission itself can be accurately informed with respect thereto.

The proposed amendments embodied in S. 1964 would (1) define the phrase "arising from the operation of such railroad" so as to clearly mean all activities of a railroad related to its transportation business; (2) would make clear that the Commission's power to adopt rules and regulations does not permit authority to limit the accidents which Congress by statute has required to be reported; and (3) would make clear that the statute does not contain any limitation in the case of injuries to employees measured in terms of the number of days that such employee is incapacitated, by requiring the reporting of accidents resulting in "any" injury to employees arising out of railroad operations.

TWO HUNDREDTH ANNIVERSARY OF NEW MARLBOROUGH, MASS.

Mr. SALTONSTALL. Mr. President, New Marlborough is proud to celebrate its 200th anniversary. The citizens are lucky to have settled in such pleasant surroundings.

Always a happy place in the Berkshires in which to live and bring up a family, it has kept the flavor of the past while making the advances of the present.

It is right and proper to celebrate this anniversary, at which time we take new courage to forge ahead from our forefathers who worked so hard to prepare a place for us. New Marlborough

pays tribute to them on June 15. Massachusetts and the Nation congratulates you.

VOLUNTARY PENSION PLANS FOR SELF-EMPLOYED INDIVIDUALS

Mr. SMATHERS. Mr. President, on May 19 I introduced proposed legislation identified as S. 1979, and which is now pending before the Senate Finance Committee, designed to encourage the establishment of voluntary pension plans for self-employed individuals.

I ask unanimous consent at this time to have inserted in the body of the RECORD an explanatory statement of the bill and the reasons why it is essential for the Congress to act promptly and favorably on it.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR SMATHERS

The bill which I introduced, with one exception, is identical to H.R. 10, commonly referred to as the Keogh-Simpson bill, recently passed by the House and presently pending before the Senate Finance Committee.

I have chosen this course of procedure to give impetus to what I believe is rather slow progress in removing a glaring tax inequity toward 10 million self-employed citizens of this Nation.

Generally, the proposed legislation permits self-employed individuals to take a current tax deduction of 10 percent of their net earnings, with a maximum limitation of $2,500 a year, in any one taxable year, provided the self-employed individual makes an investment in certain types of retirement annuity or a specific type of retirement trust. The deduction could be taken for 20 years permitting a maximum lifetime deduction of $50,000.

When the individual receives benefits from the pension plan, the investment plus the accumulated earnings would then be treated as ordinary income and taxable as such.

Penalty provisions are contained in the bill for withdrawing any amounts during the lifetime of the self-employed individual, if they are withdrawn before he is 65 years of age.

The self-employed individual must withdraw benefits from the pension trust no later than when he reaches the age of 70.

The bill as passed by the House would be effective for the taxable years beginning in 1959, and thereafter. The Treasury Department estimates the cost of the proposed legislation to be in the neighborhood of approximately $365 million.

My bill differs from the House-passed measure in that it would become effective for the taxable years beginning in 1961 and thereafter. This change was made to meet opposition to the pending proposal predicated primarily on revenue loss, despite the fact that many recognize the tax inequality afforded our self-employed citizens as against other employees. It is hoped that by 1961 the budget will be in a more healthy state than it is today, and, if not, the Congress could then take another look at the situation.

I would like to discuss briefly, without going further into the details of the proposed measure, the reasons why I feel that Congress should act promptly to remove the existing discrimination against self-employed citizens.

In 1942 the Congress adopted an amendment to the Internal Revenue Code permitting certain tax considerations for private pension plans which qualify under the code and which are certified as such by the Treasury Department.

This action by the Congress was largely instrumental in giving rise to a tremendous growth of qualified pension plans. Under this law employees of a business can achieve postponement of a tax on retirement income savings if the employer pays into a qualified pension, profit-sharing, or stock-bonus plan when he might otherwise have paid directly to the employees. The funds are placed in a tax-exempt pension trust or paid as premiums on an annuity policy with an insurance company.

Business firms get immediate deductions for the amounts contributed, and the employee is not taxable until he derives benefits under the plan.

The law was designed to encourage the creation of these pension plans to take care of employed people in the years when their earning power has diminished or has ceased to exist. The tax consideration provided the necessary incentive to accomplish this objective.

As a result, by June of 1958, there were approximately 45,000 such plans in existence in this country, covering an estimated 18 million employees. Almost $4.6 billion was invested on a current tax-exempt basis to the employees in these retirement plans.

I cite these figures to substantiate the soundness of the legislation enacted by the Congress in 1942. They demonstrate one thing further, and that is that when given the incentive, employed people of our great Nation prefer, for the most part, to set aside a portion of their income for retirement years, rather than approach this period in life with an attitude of indifference as to whether they will or will not become public charges.

Under the present Federal tax structure, it is abundantly clear that preferential income tax treatment is accorded those wage earners and salaried employees whose employers set up qualified pension or profit sharing plans in their behalf. These employees benefit in three ways.

First, their employers contribute funds for their ultimate retirement;

Secondly, the employers' contributions are tax exempt, and are not taxed currently as income to the employee; and

Thirdly, the tax on the employee is deferred until such time as he begins to draw benefits, which under normal conditions will be at a time when the employee enjoys a lower income tax bracket.

Some 10 million self-employed citizens of this Nation are not given this tax consideration under present law. In fact, they are being penalized because they not only have to pay for their own pensions, if they are able to do so, but must provide for such pensions out of what is left of their income after taxes.

I am confident that when the Congress enacted the 1942 law it was never the legislative intent to discriminate in favor of one group of our citizens to the exclusion of others. Yet this is exactly the net result. It is a glaring inequity that deserves prompt correction by the Congress.

I might point out that President Eisenhower on October 24, 1952, recognized this tax inequity when he said, and I quote in part as follows:

"In 1942 the Government made an important supplement to the Social Security Act by legislation which offered tax advantages to corporations and their employees in the establishment of pension funds (sec. 165, Internal Revenue Code). I am thoroughly in accord with the principle of this legislation. Over 16,000 pension plans have been filed under this law providing more adequate security for the employees of corporations covered thereby. When this legislation was being considered, self-employed individuals were evidently forgotten, yet they get old and sick just as other people do. There are over 10 million workers who cannot take advantage of these tax release provisions now offered to corporations and their employees. They include owners of small businesses, doctors, lawyers, architects, accountants, farmers, artists, singers, writers, independent people of every kind and description but who are not regularly employed by a corporation. I think something ought to be done to help these people help themselves by allowing a reasonable tax reduction for money put aside by them for their own savings. This would encourage and assist them to provide their own funds for their old age and retirement. If I am elected, I will favor legislation along these lines."

The Treasury Department, in a letter addressed to the chairman of the House Ways and Means Committee, under date of February 9, 1959, also recognized the inequality of our present tax structure as it applies to self-employed persons.

I would like to quote in part from that letter as follows:

"The Treasury Department recognizes that present law does not give self-employed people tax treatment for their retirement savings comparable to that now accorded to employees covered by employer-financed pension plans. The Treasury Department nevertheless is opposed to the enactment of H.R. 9 and H.R. 10 at this time on revenue grounds as stated at the conclusion of this letter."

Despite the Treasury Department's opposition, the House overwhelmingly adopted the measure.

Many in the Congress, while favoring the principle embodied in the legislation have a reluctance, in view of the Treasury Department's opposition, plus the high cost of Government today, to support the measure in their desire to bring about a balanced budget. Theirs is an attitude of postponement until such time as the budget becomes balanced.

To meet this objection, which appears to be the major obstacle in the path of its adoption, I have modified the proposed bill so that it will be effective for the taxable year 1961. This would remove from the consideration of those thinking along this line, any feeling that they would have a further unbalanced budget this year, and yet make it possible for them to adopt a principle of fairness and tax equality for all of our citizens. Discrimination in our tax laws cannot morally be perpetuated indefinitely when a just and economically defensible revision is warranted. I feel the time is long overdue to adjust this inequity for it is vital to a continued free America to encourage self-reliance, individual enterprise and thrift. These are the qualities which made this Nation great. Private incentive must always be present and provision made for all of our citizens to be treated equitably so that they may be able to give full expression to their talents in their chosen legitimate endeavors.

Millions of our self-employed citizens today are looking to this Congress to give to them the equivalent tax treatment which others are presently enjoying so that they too may be able to provide for the twilight years of their lives. Granting to them tax equality is an investment in the future of America which we in the Congress can ill afford to ignore.

I sincerely trust that the Senate Finance Committee and the Senate itself will act promptly and favorably on this legislation.

The PRESIDING OFFICER. Is there further morning business?

Mr. PROXMIRE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Is there further morning business? If not, morning business is closed.

DISTRICT OF COLUMBIA APPROPRIATION ACT, 1960

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 291, H.R. 5676, the District of Columbia appriation bill.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (H.R. 5676) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1960, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill which had been reported from the Committee on Appropriations with amendments.

The first amendment of the Committee on Appropriations was, under the heading "Federal Payment to District of Columbia," on page 2, line 1, after the word "and", to strike out "$25,000,000" and insert "$27,000,000"; in line 19, after the word "appropriated", to strike out "$33,800,000" and insert "$34,300,000"; and on page 3, line 1, after the words "general fund", to strike out "$19,500,000" and insert "$20,000,000".

The next amendment was, under the heading "Operating Expenses—Executive Office", on page 4, line 2, after the word "clearance", to insert "and a survey of the 'downtown business' area", and in line 6, after the word "investigations", to strike out "$576,000" and insert "$605,000".

The next amendment was, under the subhead "Department of General Administration", on page 4, at the beginning of line 21, to strike out "$5,010,000" and insert "$5,229,000".

The next amendment was, under the subhead "Office of Corporation Counsel", on page 5, line 24, after the words "District of Columbia", to strike out "$740,000" and insert "$770,000".

The next amendment was, under the subhead "Regulatory Agencies", on page 6, line 2, after the word "fees", to strike out "$1,564,000" and insert "$1,577,000".

The next amendment was, under the subhead "Public Schools", on page 6, line 23, after the word "Agriculture", to strike out "$484,000" and insert "$517,000"; on page 7, line 1, after the word "amended", to insert "for development of national defense education programs and for matching Federal grants under the National Defense Education Act of September 2, 1958 (72 Stat. 1580);"; at the beginning of line 10, to strike out "$46,685,000" and insert "$46,753,000"; and in the same line, after the word "which", to strike out "$5,500" and insert "$7,000".

The next amendment was, under the subhead "Recreation Department", on page 8, line 7, to strike out "$2,625,000" and insert "$2,669,200".

The next amendment was, under the subhead "Office of Civil Defense", on page 10, line 18, after the word "Defense", to strike out "$60,000" and insert "$85,000".

The next amendment was, under the subhead "Courts", on page 11, line 11, after the word "Justice", to strike out "$5,396,000" and insert "$5,405,525".

The next amendment was, under the subhead "Department of Public Health", on page 12, line 8, after the word "mile", to strike out "but not more than $1,100 per annum for each automobile", and on page 13, at the beginning of line 7, to strike out "$34,829,112" and insert "$34,936,076".

The next amendment was, under the subhead "Department of Public Welfare", on page 15, at the beginning of line 16, to strike out "$17,292,000" and insert "$17,453,201".

The next amendment was, under the subhead "Department of Licenses and Inspections", on page 17, line 17, after the word "license", to strike out "$2,274,000" and insert "$2,314,000".

The next amendment was, on page 23, after line 17, to insert:

PERSONAL SERVICES, WAGE-SCALE EMPLOYEES

For pay increases and related retirement cost for wage-scale employees, to be transferred by the Commissioners of the District of Columbia to the appropriations for the fiscal year 1960 from which said employees are properly payable, $1,543,000, of which $116,000 shall be payable from the highway fund, $145,000 from the water fund, and $75,000 from the sanitary sewage works fund.

The next amendment was, under the subhead "Capital Outlay, Public Building Construction", on page 25, line 10, after the word "School", to insert "and warehouse for public schools and Department of Buildings and Grounds (including shop facilities and record center)"; at the beginning of line 16, to strike out "$226,200" and insert "$243,200"; in line 23, after the word "expended", to strike out "$11,822,000" and insert "$13,866,400"; in line 24, after the word "which", to strike out "$3,422,000" and insert "$4,889,000"; and in line 25, after the word "and", to strike out "$931,000" and insert "$905,800".

The next amendment was, under the subhead "Capital Outlay, Department of Sanitary Engineering", on page 31, line 17, after the word "which", to strike out "$1,000,000" and insert "$2,500,000".

The next amendment was, under the subhead "Capital Outlay, Motor Vehicle Parking Agency", on page 32, line 22, after the word "facilities", to insert "surveys of parking conditions throughout the District of Columbia by contract or otherwise, as may be determined by the Commissioners;", and on page 33, line 1, after the word "expended", to strike out "$125,000" and insert "$175,000".

Mr. PASTORE. Mr. President, I ask unanimous consent that the committee amendments be agreed to en bloc; that the bill as thus amended be regarded, for purposes of amendment, as the original text; provided, that no point of order shall be considered to have been waived by the agreement to this order.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the committee amendments are agreed to en bloc.

The bill is open to further amendment.

Mr. PASTORE. Mr. President, I have a few brief remarks to make on the District of Columbia appropriation bill for 1960, which carries the unanimous approval of the Committee on Appropriations.

The bill as reported is $4,383,290 above the total appropriations recommended by the House, $4,420,598 below the total estimates submitted, and $23,195,225 over the total appropriations for the current fiscal year.

As indicated in the committee report, the increase over the House bill will provide the additional sum of $2,288,890 for operating expenses, and $2,094,400 for capital outlay items. Included in the $4,383,290 total increases are supplemental items aggregating $1,858,000. These items were not considered by the House but were presented by the District Commissioners to the Senate committee as being mandatory increases. For example, $1,543,000 was requested and approved for wage-scale increases granted to so-called blue-collar workers of the District government.

Other noteworthy items added to the House bill concerned the $1,767,000 item for the construction of a much needed warehouse, shop facility, and record center; the $15,000 item for the District's share of the cost of a survey to determine the causes of deterioration in the downtown area and to formulate plans to effect improvements; $60,000 to provide funds for matching grants available under the provisions of the National Defense Education Act approved September 2, 1958, and $10,464 in the medical charities program of the Health Department, to permit the Washington Home for Incurables, the Christ Child Home, and the Children's Convalescent Home to receive reimbursement from the District government of $9 a day instead of $8 recommended in the estimates, and $8.50 proposed in the House report for in-patient care.

Of especial interest to the committee and, I am certain, to all Members of the Senate, are the parking problems of the city. In the hope that some constructive solution can be found to this problem, the committee has included in the bill the Commissioner's request of $50,000 for a survey of parking conditions throughout the District of Columbia and the submission of a comprehensive report to the committee of its findings and recommendations. More than $2 million is now available in the parking fund and it is of extreme importance that sound projects be planned in the application of such moneys in future years. The proposal to expend in 1960 the sum of $800,000 for the purchase of a site in the vicinity of 21st and E Streets NW.

to construct an underground parking facility mostly for the convenience of Federal personnel, at an estimated cost of $4,000 per car space for from 1,000 to 1,100 cars was unwarranted and accordingly denied by the committee. The House had also denied the item.

In view of the increased expenditures of the District government that are payable mostly from the general fund account, and the committee's determination that much of the increases stemmed from recently enacted pay changes, as well as the expansion and improvement of services essential to cope with the workload of many departments—health, welfare, school—the Federal payment to such fund has been fixed at $27 million, instead of $25 million, the House allowance.

The $2 million additional payment seems well justified in consideration of these added mandatory costs imposed upon the District government at this time, the fact that only 59.9 percent of the total assessed value of property in this District is taxable; and of the 40.1 percent nontaxable, 20.2 percent is U.S.-exempt property, and the further fact that in the past 5 years taxpayers of the District have increased general fund revenues by $25.5 million a year.

Mr. President, when the bill came to the Senate from the House, it showed a deficit of approximately $2,250,000. The Senate committee has made certain modest allowances over and above that figure, allowances which were denied by the House; that is, we have restored amounts which were denied by the House.

I may say that the members of the committee were very meticulous in analyzing every request which was made by the Commissioners. We took into account the fact that we were dealing with what is known as a deficit budget, which would have forced the District of Columbia either to freeze some of the money which was already appropriated or to increase taxes.

It is my considered judgment that the District of Columbia will, during the year, have to give serious thought to a readjustment of its tax structure, especially with respect to real estate taxes. Whether the Committee on Appropriations should have thrust this responsibility upon the city fathers by way of this appropriation bill was a problem with which the committee had to contend. We thought it might have been considered imprudent, inadvisable, and unwarranted for us to have ventured to say what the tax situation should be by the process of this appropriation bill. We believe this was a matter which should be discussed and considered by the legislative committee, and that a proper, long-range solution should be made of the fiscal stability of the District of Columbia as such.

I may say that as the bill has been reported by the committee, the District of Columbia budget is in balance. As a matter of fact, I call attention to the top of page 3 of the committee report, where it will be seen that the general fund, by the bill which has been reported to the Senate, is in the black, or is in balance, with a surplus of $20,292.

I understand other Senators desire to comment with respect to certain items in the bill. For that reason, I shall defer at this time the request that the bill be passed.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. DOUGLAS. Mr. President, first, I thank the Senator from Rhode Island for the great care which he has taken concerning the District of Columbia appropriation bill. We all know that the preparation of this bill is a thankless job, so I express appreciation for the public service of the Senator from Rhode Island in dealing with it. However, I wish to ask the Senator a few questions connected with the projected expressway through Glover-Archbold Park, which is one of the most beautiful parks in Washington, and which, if the roads which the committee contemplates will be carried through that area are built, will, in my judgment, be spoiled. Is it not true that an initial appropriation of approximately $880,000 is included in this budget for so-called preliminary work upon the expressway to go through Glover-Archbold Park?

Mr. PASTORE. That is correct.

Mr. DOUGLAS. Is it not true that the $880,000 will cover only some preliminary work, such as the construction of two bridges over the park, and that the estimated cost of the projected highway is really more than $5 million?

Mr. PASTORE. I am not in a position to say specifically what the $880,000 will do; but I believe the Senator from Illinois is substantially correct; and he is correct as to the approximate overall figure.

Mr. DOUGLAS. Is it not also true that the traffic interchanges at the two points will add approximately another $10 million, so that the total cost of the useful highway through the Glover-Archbold Parkway will be approximately $15 million?

Mr. PASTORE. That is correct.

Mr. MORSE. Mr. President, at this point will the Senator from Illinois yield to me, so that I may supplement his statement?

Mr. DOUGLAS. Yes, indeed.

Mr. MORSE. I have a letter dated May 18, from Brigadier General Welling, one of the District Commissioners, in response to inquiries which were made concerning the proposed roadway. If the Senator from Illinois will permit, I ask unanimous consent to have the entire letter and an additional factual memorandum printed at this point in the RECORD.

Mr. DOUGLAS. Certainly; I shall be very glad to have that done.

The PRESIDING OFFICER. Is there objection?

There being no objection, the letter and the memorandum were ordered to be printed in the RECORD, as follows:

GOVERNMENT OF THE
DISTRICT OF COLUMBIA,
Washington, D.C., May 18, 1959.

The Honorable WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: This will acknowledge receipt of your letter of May 8, 1959, with attached letter addressed to you by Mr. Constant Southworth, relative to the District's proposal to construct a parkway through Glover-Archbold Park.

The following lettered subparagraphs coincide with the lettered subparagraphs in your letter.

(a) Since 1893, the District of Columbia has owned a right-of-way 100 feet wide through Foundry Branch Valley which includes the area now designated Glover-Archbold Park. The right-of-way is for an all-purpose major highway, including trucks.

The park land on either side of the right-of-way was either donated to the government in 1923–24 or purchased by the Federal-District Government in 1926–1943. In the opinion of the corporation counsel, the terms of the donation permit the construction thereon of the proposed parkway, for passenger vehicles only, but do preclude the construction thereon of an all-purpose highway such as is permissible on the 100-foot right-of-way (the Government-purchased portion of the park land is similarly available for parkway purposes).

In 1948 the District entered into a formal written agreement with the National Park Service for the construction of a four-lane parkway in Glover-Archbold Park subject to the following provisions:

1. The scenic, landscaped parkway would be fitted into the natural contour of the park land in such a manner as to permit development of the park for its greatest use, its greatest beauty and its greatest convenience to the public.

2. The parkway would be for passenger vehicles only.

3. The parkway would utilize some of the 100-foot right-of-way, some of the park land.

4. The District would abandon the use of its 100-foot right-of-way for an all-purpose highway.

5. The District would make available to the Park Service for park purposes that portion of the 100-foot right-of-way not utilized for the four-lane parkway.

(b) The possibility of abandoning the Wisconsin Avenue project in favor of the North Capitol Street project makes the Glover-Archbold Parkway facility all the more indispensable for that portion of the city west of Rock Creek Park. Furthermore, the parkway is vital to development of the park so as to permit the greatest use, greatest beauty and greatest convenience to the public of Foundry Branch Valley.

(c) There is agreement between the District Commissioners, the National Capital Planning Commission and the engineer consultant for the mass transportation survey that the four-lane parkway through Glover-Archbold Park is essential for passenger vehicles regardless of the decision concerning any proposed routes in or into Maryland. The Planning Commission, although not a signatory to the 1948 agreement concerning the parkway construction, is referred to in the agreement as favoring the creation of a properly designed parkway in Foundry Branch Valley.

(d) The Tenley Circle to the Inner Loop proposal of the National Capital Planning Commission was added to the final report of the engineer consultant for the mass transportation survey. The proposal, intended for interstate traffic, including trucks, was clearly in addition to the need for the four-lane Glover-Archbold Parkway for passenger vehicles.

(e) The preliminary estimated cost of the Glover-Archbold Parkway is approximately $5 million, to be financed on a 50–50 basis by Federal aid funds and District of Columbia funds.

The District does not propose to grade the Glover-Archbold Parkway for an eventual six-lane highway. Such an action is considered to be precluded by the terms of the 1948 agreement which prescribes that the District's plans for the development of the parkway are subject to detailed review by the National Park Service.

I assure you of my conviction that prompt construction and development of the four-lane parkway for passenger vehicles is in the interest of the best use of Glover-Archbold Park and of the District of Columbia.

With kindest regards, I am,

Sincerely yours,

A. C. WELLING,
Brigadier General, U.S. Army,
Engineer Commissioner.

GLOVER-ARCHBOLD PARK

The park extends from Van Ness Street to Canal Road: 2½ miles in length, 183 acres in extent.

In 1893 the District acquired a 100-foot right-of-way bisecting the length of the area (old Arizona Avenue) for an all-purpose major highway, including trucks.

Bordering on the 100-foot all-purpose highway right-of-way are:

Date	Area (acres)	Acquired	Percent of park
(a) 1926-43	76.9	Purchased by Federal and District Governments.[1]	42
(b) 1923	78.0	Dedicated by Glover [2]	42.6
(c) 1924	28.1	Dedicated by Archbold [2]	15.4

[1] For park and parkway use.
[2] Terms of dedication permit parkway use in legal opinion of corporation counsel.

At present park has minor amount of useful, accessible recreation areas and is largely composed of unkempt woodland which is difficult to traverse. Debris clutters some of the area and a sewer line lies on the ground for much of its length.

Since 1948 District has had formal written agreement with National Park Service that—

(a) District would build scenic, landscaped parkway of 4 lanes fitted into natural contour of the park for passenger vehicles only.

(b) Parkway would utilize some of 100-foot right-of-way, some of park.

(c) District would abandon use of 100-foot right-of-way for all purpose highway.

(d) District would make available to Park Service for park purposes portion of 100-foot right-of-way not utilized for four-lane parkway.

REGARDING TREE REMOVAL

Number of trees affected will be relatively small percentage of entire park tree population.

Many trees are old and will have to be replanted whether a parkway is constructed or not.

Shoulders and other disturbed areas will be landscaped and restored under a National Park Service replanting and beautifying program.

In landscaping, types of trees can be planted which are fast growing and in a few years will contribute to reestablishing the beauty of the park.

Parkway will permit sensible amount of access to park for recreation purposes and will provide scenic driveway.

The right of birds to the park is not a paramount right. It may be a relative right.

Consider how many birds were disturbed on the Hill by the construction of the Capitol.

Remember the birds that were disturbed by the construction of the Washington Cathedral.

Spring Valley was penetrated by Rockwood Parkway and house after house. Yet the valley still abounds in cardinals, robins, thrush, doves, orioles, catbirds, mocking birds, owls, bluejays, blackbirds, yellow-hammer, and handsome smaller species of unknown identity. Trees also remain in the valley and make it perceptibly cooler than downtown and extremely attractive.

Thousands of birds (and trees) will remain in the park to delight the community after the parkway is built. With proper care, the number of birds could increase.

MAY 11, 1959.

Mr. MORSE. From the letter we observe that the estimated cost is approximately $5 million.

Mr. DOUGLAS. But that does not include the cost of the traffic interchanges, which I believe will add approximately $10 million to the cost.

Mr. MORSE. That, I do not know.

Mr. BEALL. Mr. President, will the Senator from Illinois yield to me?

Mr. DOUGLAS. I yield.

Mr. BEALL. The interchanges will have to be built, regardless of whether the parkway is built. In any case, the interchanges will have to be built.

Mr. DOUGLAS. Is it not true that completion of the highway through this parkway is not planned until approximately 1963?

Mr. PASTORE. That is correct.

Mr. DOUGLAS. So there is no immediate hurry about this matter.

Is it true that the District of Columbia Commissioners within the last month, by a vote of 2 to 1, voted against development of the so-called Wisconsin corridor?

Mr. PASTORE. There has been much talk that that was the situation; but when the information came to our attention I had Mr. Merrick check on it. As a result, I do not think any official vote was taken.

Mr. DOUGLAS. Was there not an informal vote of 2 to 1?

Mr. PASTORE. I am not in a position to say as to that. When the Senator from Illinois concludes his questions I shall be very glad to explain what the situation was, insofar as the committee was concerned.

Mr. DOUGLAS. Are not at least two sets of studies under way as to the future traffic requirements of the District of Columbia, namely, a study by a joint congressional committee headed by the Senator from Nevada [Mr. BIBLE] and Representative MCMILLAN, and a study by the District of Columbia Highway Department itself?

Mr. PASTORE. Mr. President——

Mr. BEALL. Mr. President, will the Senator from Rhode Island yield to me?

Mr. PASTORE. I shall be glad to yield in a moment.

I wish to refer to the survey or the investigation on the part of the distinguished Senator from Nevada [Mr. BIBLE], who is the chairman of the legislative committee. This matter was thoroughly discussed in the subcommittee. I believe I should make a statement as a predicate for the point I desire to make; but first I wish to say to the distinguished Senator from Illinois, in line with what he said—namely, that this is a thankless job—that no truer words could have been spoken.

Mr. DOUGLAS. Yes.

Mr. PASTORE. I am very much interested in the welfare of this community, and I am very much interested that it have the roads it needs, and that the natural points of interest we are able to enjoy in this community be preserved.

When I received the many remonstrances which were sent to our committee, of course I was very much concerned, whereupon I directed Mr. Merrick and the staff to inquire of Brigadier General Welling whether there was any alternative to the proposed roadway.

I know that many persons are quite disturbed over the entire program.

In reply, we received the following letter:

MAY 15, 1959.

DEAR MR. MERRICK: Reference is made to your query as to what would be the alternate solution for handling traffic if the parkway construction in Glover-Archbold Park were delayed or deferred.

The parkway is an indispensable feature of our traffic pattern. The 1948 agreement with the National Park Service states that the parkway is considered essential to provide additional and improved traffic facilities in the District of Columbia, and to provide adequate facilities for vehicular access for the extensive park area south of Massachusetts Avenue as a scenic parkway so that the area may be used for the pleasure of the great number of people who will visit it.

There is no sensible alternate solution for handling traffic. Deferment or delay in the construction of the parkway would permit the traffic to continue to pile up and defer the reasonable use of the park as a recreation area and as a traffic facility.

The letter is signed by General Welling.

Mr. DOUGLAS. He is the Engineer Commissioner; is he not?

Mr. PASTORE. That is correct.

I merely wish to say to the distinguished Senator from Illinois that I was bothered no end when those remonstrances were made, because they were made by fine, decent citizens of the community, who made a conservation point about fine facilities which they were anxious to preserve.

However, for us to have taken action to repudiate the plan would have meant that the members of the subcommittee—who are lay people, not engineers, and who have no familiarity with the traffic problems in this area—would have had to substitute their judgment for the judgment of those who, as professional engineers, have the responsibility of carrying out the plans and fulfilling the trust which has been placed upon them.

Mr. DOUGLAS. This raises the question of whose plan it is. Certainly, I cannot believe that it is the plan of the Commissioners of the District of Columbia, who, if not officially, unofficially, at least, voted 2 to 1 against the proposal. Furthermore, all of us know that engineers love to build highways, and do not have much regard for scenery, trees, or natural beauty. An engineer with a bulldozer tends to be a very ruthless person. Trees and natural beauty are extremely important. We should try to preserve and not destroy such spots.

Mr. PASTORE. Mr. President, will the Senator from Illinois indulge me long enough to permit me to make an observation on that point?

Mr. DOUGLAS. Certainly.

Mr. PASTORE. With regard to the argument made by the Senator from Illinois—and it is a good argument—again I addressed a letter to the Commissioners of the District of Columbia, and I have received the following letter, today:

DEAR SENATOR PASTORE: This letter is in regard to the need now for construction funds

for the Glover-Archbold Parkway as an essential item of the mass transportation survey.

The final report of the engineer consultant for the mass transportation survey indicates a need for a four-lane parkway in Glover-Archbold Park, just as it indicates a need for the inner loop, the Anacostia Freeway, the Potomac River Freeway, and the Southwest Freeway (to the engineer consultant's final report the Planning Commission and Planning Council have added—in addition to the need for the Glover-Archbold Parkway—a freeway in the Wisconsin Avenue corridor which would turn eastward across Rock Creek Park).

Mr. DOUGLAS. Let me ask who signed the letter.

Mr. PASTORE. Mr. McLaughlin, President of the Board of Commissioners of the District of Columbia.

I repeat that we have gone into all these phases. I repeat that we were very much disturbed about the whole problem.

But I wish to state to the distinguished Senator from Illinois the conclusion which was reached by me and by my colleagues on the committee. We had quite a lengthy meeting on this subject; and those in attendance at the meeting included the Senator from Nevada [Mr. BIBLE], the Senator from Maryland [Mr. BEALL], the Senator from Colorado [Mr. ALLOTT], and the Senator from Nebraska [Mr. HRUSKA]; and then we called in the Senator from Arizona [Mr. HAYDEN], the benefit of whose wisdom we are always happy to have. We discussed this matter, we threshed out the problem, and we reached the conclusion that for us to repudiate this plan at this time would not only cause the work to be deferred, but also would mean that we would substitute the opinion of lay persons for the opinion of engineers who have had this responsibility entrusted to them.

Mr. DOUGLAS. I do not intend, Mr. President, to carry on this debate at length, because I understand the Senator from Oregon [Mr. MORSE] is to make a speech on this subject. But I wish to make several points, if I may.

The first is that our places of natural beauty are being swallowed up and destroyed by various encroachments upon them, one of which is the construction of roads and parkways.

The lower part of Rock Creek Park, which was inherently one of the great parks of the country, is already being made virtually unattractive, and is becoming a high-speed traffic throughway, rather than a place of resort and refreshment for the people of this city.

I may say we are facing some of the same kind of problems in Chicago. Efforts are being made to have several of the parks in Chicago become high-speed throughways. That is my first point.

The second point I should like to make is that it is easy to make transportation the first charge upon land; but if this 4-lane highway goes through, a tremendous number of the most beautiful trees in Washington will have to be cut down and destroyed. A man can destroy a tree in 15 minutes which it took a century and a half to grow. I think some of those trees go back to the days of George Washington. If this appropriation goes through we shall no longer have that area as a place for the people of Washington to refresh themselves. These are important considerations, too.

While I appreciate the services of the Senator and praise him for the fine work he is doing and the care which he has taken on this measure, because serving on the District of Columbia Committee is probably one of the most thankless jobs there is in Congress, nevertheless, as one who loves trees and as one who loves the wilds, I do not like to see trees cut down and a beautiful area wantonly destroyed.

This area was given to the District of Columbia by Mr. Glover and Mrs. Archbold. Mrs. Archbold, I understand, objects very much to the proposal. The heirs of Mr. Glover are willing to have a 2-lane road go through the area, but not a 4-lane road, as is proposed.

I hope the Senate will take cognizance of the situation. The Senator from Illinois has to go to another meeting. Before he does, he asks unanimous consent that there be printed in the RECORD, prior to any final vote on the matter, a statement prepared by the Potomac Valley Conservation and Recreation Council, entitled "Shall Glover-Archbold Park Be Destroyed?" and also a statement by the Audubon Society of the District of Columbia.

The PRESIDING OFFICER (Mr. HART in the chair). Is there objection to the request? The Chair hears none, and it is so ordered.

(See exhibit 1.)

Mr. DOUGLAS. Mr. President, I know the Senator from Oregon [Mr. MORSE] is going to speak on the matter. I hope we may have a yea and nay vote on the question. When the roll is called, I will be back. In the meantime, I ask that I may be excused to go to another meeting to try to defend another area which is threatened with destruction, namely, The Dunes, outside of Chicago.

EXHIBIT 1

SHALL GLOVER-ARCHBOLD PARK BE DESTROYED?

A matter of national principle is involved in the proposed destruction of Glover-Archbold Park by a truck expressway. This park, which is a part of the national park system, and one of the larger fine natural areas remaining in Washington, was given to the people with specific stipulations that it be preserved as an unspoiled native woodland for all time. Mrs. Anne Archbold and Mr. Charles C. Glover gave this land in 1924 as a park and children's playground, a purpose which it has served superbly. Recent decisions of the National Capital Planning Commission disregard Government commitments, legal obstacles, and public welfare in order to provide a cheaper route for one leg of Maryland Route 240 into the heart of Washington. If this threat is carried out, what assurance will we have that the terms of any gift of property to the Government will be honored? What becomes of the supposed sanctity of our other national park holdings?

Visitors to Washington from other parts of the United States and from foreign countries have been incredulous that we still possess such an unspoiled area, and aghast that any planner would think of putting it to lesser use. Authorities on city planning emphasize the need for just such strips of park and woodland throughout a city, not only for the vital recreational and educational opportunities only possible here, but for the peace and beauty of the city itself. Glover-Archbold is one of our most readily accessible parks, due to its long, narrow shape. From any neighboring street, paths go down into the park to pleasant glades, where one can relax and enjoy the scene, walk for a mile or two along trails through varying landscape, or picnic. Nowhere are you more than a block or two from a street, but everywhere you have the sensation of being completely removed from urban rush and noise. The park serves an area of growing population, some distance from Rock Creek Park, and it is now one of the safest areas among our parks for children or adults. Casual loiterers do not invade the park as they would if any road, even a small park road, ran the length of the valley. (And even a two-lane park road would be highly destructive of the park and its usefulness, besides making a precedent for larger roads in the future.) As it is now, this park illustrates the ideal plan for a narrow stream valley. Access is from the sides, with the heart of the valley left intact. This protects the more easily damaged natural features, and the part most vital to plants and animals.

Those who consider such areas simple undeveloped real estate should realize that such a natural woodland as Glover-Archbold, so exceptionally endowed with native plants, animals, and birds, takes a slow evolution of hundreds of years to reach this complexity and richness. Here, to an extent that cannot be approached in the usual manicured, artificial park, a child can really begin to learn the wonders and intricacies of his real world. It can be wiped out by bulldozers in no time, but only nature undisturbed for more hundreds of years can ever recreate it. This fact alone should give us some pause to consider its merits before we so casually eliminate it.

The splendid natural areas on which Washington depends for so much of its unique character and pleasant living conditions are fast disappearing. Rock Creek Park, large as it is, has already reached capacity use in some respects, and as it becomes increasingly interlaced with traffic arteries, its value as a park is continually whittled down. The threat of another leg of Route 240 entering Rock Creek Park is just another example of official disregard for keeping faith with the public. All such commercial expressways must be kept out of park lands. But even so, Rock Creek Park cannot long satisfy the District's need for outdoor recreation. The Soldiers' Home grounds have already been sacrificed for more urban construction. Glover-Archbold remains to help provide for these ever-increasing needs.

Though Rock Creek Park is still one of our finest heritages, many developments have seriously undermined its physical condition. It is well known that a watershed needs special care to protect the valley floor. In Rock Creek Park, roads and picnic areas of excessive use have been allowed to invade sections which should have been kept in shrubbery and effective cover planting. The destructive erosion resulting is an eyesore to all who have any understanding of sickness in a landscape. Glover-Archbold remains relatively unharmed, in the main section given by Mrs. Archbold and Mr. Glover. If a road is cut through, it will become a classic example of the most complete and senseless kind of destruction for a stream-valley park. We still have the opportunity to preserve it as a prime example of the wisest plan for such an area.

For several years, the District plans have included, on dubious legal authority, a four-lane divided highway down the length of Glover-Archbold. No date for construction has been given, and there has been no op-

portunity for the citizens affected to have a voice in the matter. Now, since June of 1957, the threat to the park has become explicit, immediate, and much more alarming than former plans. The National Capital Planning Commission, over the protests of some District authorities, has voted to recommend the route through Glover-Archbold for the truck branch of Route 240. This multilane superhighway would mean the complete obliteration of the park and the serious deterioration of valuable communities all along the route. The plan would be very costly in terms of immediate destruction as well as the ultimate downgrading of one of the finest sections of the city.

Some general principles of highway planning should be kept in mind when considering the merits of the several alternate routes possible. In many respects, indeed, this Glover Park routing appears to be in contradiction to the provisions of the Federal Highway Act providing for such intercity expressways. One of the strongest arguments against this sort of plan is the fact that its whole concept may be wrong in the light of present traffic conditions. To bring any such main artery down through a city to dump its masses of traffic intact in the already overcrowded heart of the community is foolish and obsolete. Every possibility should be given for through traffic to bypass thickly settled areas, and that which must come into the city should be tapered off and dispersed all along its path into the center. Other cities have gone along this sequence of excessive and unwise building of superhighways on outdated routes, only to find that they have increased their traffic impasses instead of helping them. Must Washington retrace every mistake of other communities and finally have to spend far more money to try to undo the damage? We still have the priceless opportunity to take advantage of the best and latest knowledge and to be a model instead of a horrible example.

Many people are discouraged in their efforts to do anything about these problems by the multiplicity of authorities ruling Washington, and the lack of ways for ordinary citizens to take effective action. We can make ourselves heard, however. The National Capital Planning Commission vote is advisory, and other officials must still make their decisions. Everyone who deplores these plans and the authoritarian way in which they are handed down can write to Mr. Harland Batholomew, of the National Capital Planning Commission, to Mr. Fred A. Seaton, Secretary of the Interior (including the National Park Service), to the District of Columbia Commissioners, to the District Committee of the Senate, and to the Committees on Interior and Insular Affairs of both the House and the Senate. Citizens of Maryland, especially, can speak effectively to the Maryland-National Capital Park and Planning Commission. If your own Congressman serves on a committee concerned with these matters, be sure to let him know your views; it is a good idea to do so whatever his special assignments. At the least, we must insist on public hearings. The authorities can be persuaded to enforce a wiser policy for our parks and for our city.

STATEMENT OF THE AUDUBON SOCIETY OF THE DISTRICT OF COLUMBIA IN RESPECT TO GLOVER-ARCHBOLD PARK

(Presented by John F. Floberg before the Subcommittee on the District of Columbia of the Senate Appropriations Committee, Senator JOHN O. PASTORE, chairman)

The Audubon Society of the District of Columbia protests against the inclusion in the 1960 District budget of an appropriation for the construction of Glover-Archbold Parkway. This is a time when crucial District appropriations have had to be cut in the interests of economy. We urge that a substantial saving be made by striking this $880,000 item from the budget. The ultimate cost of about $5 million listed for this expressway can well be used in other ways. This road is unwise from the standpoint of traffic control, and it will destroy the last safe, unspoiled woodland park remaining in the District. The road has remained on the District highway plans for years in the face of considerable public opposition. Hearings on this bill are the first chance the public has had to oppose this road before a committee of Congress. Had we known in time that such an item was in the budget, we should have protested at the House hearings. Since that committee took action too quickly to permit us to speak there, we must rely on this committee to consider our side of the case.

Two years ago, it was proposed that Route 240 be brought into the city by way of Glover-Archbold Park. The Commissioners of the District of Columbia held a hearing on this plan on January 6, 1958, at which such convincing opposition was made that another route was recommended. The present District road plans for a 50-mile-an-hour expressway would be virtually as complete in their destruction of the park. At the time of the Route 240 hearings, the Potomac Valley Conservation and Recreation Council published a small pamphlet, describing the park and the effects of a road upon it. Since the council's statement applies as well to the present plans, I include copies with this testimony for the committee's information. Perhaps it might be included in the record.

As a traffic artery, Glover-Archbold Parkway would only parallel existing routes for heavy traffic—Massachusetts Avenue, Wisconsin Avenue, Arizona Avenue, and Dalecarlia Parkway—which either are or could relatively easily and cheaply be made more than adequate to carry District traffic in the direction of Canal Road and downtown. If it is essential to provide additional highway capacity along the river for the benefit of commuters from Montgomery County, an excellent route is still available in the proposed Little Falls Parkway. Before the exceptionally fine woodland of Glover-Archbold Park is destroyed, let us examine closely the whole concept of proliferating expressways that threatens to turn the District into another Los Angeles. Under Senator ALAN BIBLE, a thorough study of Washington metropolitan problems has been made this past year. This committee's reports clearly caution against trying to provide for unlimited automobile traffic at the expense of every other value of urban life. A warning from a Lewis Mumford article in the Architectural Record for April 1958, as reprinted in the hearings of Senator BIBLE's committee, is appropriate:

"Our major highway systems are conceived in the interests of speed * * * that is to say as arteries. That conception would be a sound one, provided the major arteries are not overdeveloped to the exclusion of all the minor elements of transportation. Highway planners have to realize that these arteries must not be thrust into the delicate tissue of our cities; the blood they circulate must rather enter through an elaborate network of minor bloodvessels and capillaries. * * * Perhaps our age will be known to the future historian as the age of the bulldozer and the exterminator. * * * Nowhere is this bulldozing habit of mind so disastrous as in the approach to the city. Since the engineer regards his work as more important than the other human functions it serves, he does not hesitate to lay waste woods, streams, parks, and human neighborhoods in order to carry his roads straight to their supposed destination."

The cost to Washington will be far greater than $5 million, if this highway is built. There is no way to estimate the dollar value of the park which would be lost. Authorities on city planning emphasize urgently the need for just such strips of park and woodland through a city, not only for their educational and recreational use, but for the beauty and health of the city itself. Visitors from other cities and countries have been amazed at our good fortune in having such an area remaining and horrified that anyone would think of destroying it.

The main area of this park, between Massachusetts Avenue and Reservoir Road, provides a highly accessible area of quiet and beauty only a step away from thickly populated residential sections. The wealth of native plants and wildlife here is only sensed by the casual stroller, but the botanical survey being made by a member of our society has revealed many hundred kinds of plants, including rare flowers. The bird life is exceptionally rich and varied, largely because of the abundant food and cover in the stream valley. Even the elusive pileated woodpeckers still nest here. Here also a child can really begin to learn the wonders and complexities of his natural world, something that no artificial landscaped park can ever show him.

A bulldozer can destroy this area in a few days, but it would take hundreds of years for nature to bring it back to its present state. Any road through this park will destroy most of these values, and it will also take away another aspect just as important to human use. Now the park is a safe place, and the Park Police explain this by saying that there are no roads through it to bring in troublemakers and loiterers.

More and more people seek something more than organized, mechanized recreation, and as the population grows, the need for the kind of recreation possible in Glover-Archbold grows just as urgently as the need for roads. Nor is there any substitute for it, as mass transport can supplement roads. The park is being well-used for the purposes for which it was given to Washington, as a natural woodland and children's playground.

The Washington area is already becoming deficient in parks, because as the city has grown we have not followed the precedent of earlier generations in setting aside adequate areas. Let us not compound this error by destroying those parks which remain to us. If a highway must be built, let us face up to the necessity of buying right-of-way, instead of considering our parks as just cheap, available vacant land. Parks are essential features that distinguish a good place to live from the forbidding deserts of massed buildings that many cities have become. The section of Washington surrounding Glover-Archbold Park is still a highly desirable neighborhood, combining the advantages of urban convenience with some of the amenities of suburban living. For this, Glover-Archbold Park is largely responsible. An expressway driven through the heart of this section will seriously degrade the adjacent residential communities. It is not to the advantage of the suburbs to destroy the heart of this city, the District, just for their temporary convenience. And it is certainly absurd for the District to deliberately do it to itself.

We should like to invite the members of this committee to let us show them this park, if they are unfamiliar with it. It is one of Washington's unique assets.

Mr. PASTORE. Mr. President, I ask unanimous consent that a letter dated May 26, 1959, addressed to me by Robert E. McLaughlin, President of the Board of Commissioners for the District of Columbia, may be printed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

GOVERNMENT OF THE DISTRICT OF COLUMBIA,
Washington, D.C., May 26, 1959.

The Honorable JOHN O. PASTORE,
U.S. Senate, Washington, D.C.

DEAR SENATOR PASTORE: This letter is in regard to the need now for construction funds for the Glover-Archbold Parkway as an essential item of the Mass Transportation Survey.

The final report of the engineer consultant for the Mass Transportation Survey indicates a need for a four-lane parkway in Glover-Archbold Park, just as it indicates a need for the Inner Loop, the Anacostia Freeway, the Potomac River Freeway, and the Southwest Freeway (to the engineer consultant's final report to the Planning Commission and Planning Council have added in addition to the need for the Glover-Archbold Parkway, a freeway in the Wisconsin Avenue corridor which would turn eastward across Rock Creek Park.)

The Mass Transportation Survey will urge an acceleration of the highway and parkway construction program in the District of Columbia and the entire region.

It would not be in the best interests of the region for the Congress to defer any item justified in the survey report while the whole report is being analyzed by the Congress. To put it another way, to delete funds from the District's fiscal year 1960 budget for Glover-Archbold Parkway is as unjustified as it would be to delete funds therefrom for the Inner Loop, the Anacostia Freeway, the Potomac River Freeway, and the Southwest Freeway, all of which appear in the final report of the Mass Transportation Survey.

A four-lane parkway in Glover-Archbold Park is the lightest traffic facility known to be proposed in the park by any agency. The Planning Commission, which approved the construction funds in this year's budget for the parkway, had in 1957 recommended to the Commissioners (over the vigorous objection of the former Engineer Commissioner, General Lane) that Interstate Route 240 be constructed in Glover-Archbold Park. Such a facility would not have a four-lane divided parkway for passenger vehicles only, but a nine-lane facility for mixed traffic, including trucks. The Board of Commissioners rejected the Planning Commission proposal as being in violation of moral and legal obligations and sound government policy.

The 1948 agreement between the Board of Commissioners and the National Park Service, whereby the District would construct the parkway in Glover-Archbold Park, states that the parkway is a basic element "essential to the development of the park and parkway system of the Nation's Capital * * * so as to permit the full enjoyment of the property for park purposes and at the same time supply the needs for traffic in this section."

The Board of Commissioners urges the Senate to appropriate the $880,000 of construction funds requested for Glover-Archbold Parkway so that the above stated purpose can promptly be brought into being.

Sincerely yours,

ROBERT E. MCLAUGHLIN,
President, Board of Commissioners.

MEMORANDUM OF AGREEMENT BETWEEN THE NATIONAL PARK SERVICE AND THE GOVERNMENT OF THE DISTRICT OF COLUMBIA RELATIVE TO THE DEVELOPMENT OF THE ARIZONA PARKWAY

Memorandum of ocooperative agreement made this 16th day of April 1948, by and between the National Park Service and the government of the District of Columbia hereby provides the following stipulations for the development of the Arizona Parkway between Canal Road and Van Ness Street located in the Glover and Archbold Park areas within the Foundry Branch Valley as hereinafter specified.

Whereas the Arizona Parkway, when constructed, will occupy a portion of the valley of Foundry Branch along the general line of Arizona Avenue as recorded on the Distirct of Columbia highway plan and is considered essential to provide additional and improved traffic facilities in the District of Columbia, and to provide adequate facilities for vehicular access for the extensive park area south of Massachusetts Avenue as a scenic parkway so that the area may be used for the pleasure and recreation of the great number of people who will visit it; and

Whereas the National Park Service, through its field office, the National Capital Parks, is the agency charged with the administration, maintenance, improvement, and protection of the park and parkway system of the National Capital and the adjoining metropolitan area; and

Whereas the District Commissioners, through the Department of Highways, are the agency charged with the development of highways to care for the general vehicular traffic of the District; and

Whereas the Arizona Avenue right-of-way of approximately 100 feet in width, as recorded in the District of Columbia highway plan, was acquired in March 1893 by the District of Columbia for a major highway along and through Foundry Branch between Canal Road and Van Ness Street, but is not adequate either in its location or width to construct a properly designed highway and to properly serve traffic and provide for adequate access to the park areas; and

Whereas the Commissioners of the District of Columbia by appropriate action on October 10, 1893, named this proposed highway "Arizona Avenue," but are not averse to substituting for the said highway the name "Arizona Parkway"; and

Whereas congressional action provides that all land acquired for park and parkway purposes shall become a part of the park system of the District of Columbia under the control of the National Park Service; and

Whereas this park and parkway are basic elements essential to the development of the park and parkway system of the National Capital, and the parkway can be made to serve as an access to the park so as to permit of the full enjoyment of the property for park purposes and at the same time supply the needs for traffic in this section; and

Whereas the government of the District of Columbia, the National Park Service, and the National Capital Park and Planning Commission are of the opinion that an all-purpose highway through the Foundry Branch Valley is unnecessary and would interfere with passenger-car traffic, and favor the creation of a properly designed parkway located generally along the floor of the Foundry Branch Valley; and

Whereas Mr. Charles C. Glover, Mrs. Anne Archbold, and others have donated certain large tracts of land in and adjoining the Foundry Branch Valley with the understanding at the time of the donations that the areas donated would be preserved and treated as a park reservation; and

Whereas it is the opinion of the government of the District of Columbia, the National Park Service, and the National Capital Park and Planning Commission that the Foundry Branch Valley should be treated so as to develop its greatest use, its greatest beauty, and its greatest convenience to the public, and are also of the opinion that any roadway constructed within the Foundry Branch Valley should be of a parkway character that will provide facilities as a means of access to the park and to provide for a scenic highway for through traffic; and

Whereas it is the opinion of the government of the District of Columbia, the National Park Service, and the National Capital Park and Planning Commission that a parkway could be policed and protected more advantageously by the U.S. Park Police force than by the Metropolitan Police force of the District of Columbia; and

Whereas traffic studies undertaken by the District of Columbia government indicate the necessity for a traffic-way between Canal Road and Wisconsin Avenue in the vicinity of Tenley Circle, with appropriately developed connections with the K Street Elevated Highway currently under construction and with suitable grade separation structures and traffic interchanges at appropriate locations; and

Whereas sufficient land adjoining Arizona Avenue right-of-way has been acquired through donations and purchase by public agencies to permit of desirable changes in alinement of the present Arizona Avenue right-of-way and the construction of a four-lane divided parkway with suitable grade separations and interchanges at important east and west streets; and

Whereas the government of the District of Columbia is authorized to acquire sufficient land not now in public ownership to complete the project between the terminal points (Canal Road and Tenley Circle):

Now, therefore, and in consideration of the premises and the several promises to be performed as hereinafter set forth, the government of the District of Columbia and the National Park Service do hereby mutually agree as follows:

ARTICLE I. The National Park Service will make available to the government of the District of Columbia, for the construction of the Arizona Parkway, such right-of-way in the Foundry Branch Valley, in addition to that now controlled by the District of Columbia in the form of Arizona Avenue, as may later be determined sufficient to construct the said Arizona Parkway between Canal Road and Van Ness Street, provided the District of Columbia acquires the necessary right-of-way north of Van Ness Street to make a suitable connection into Wisconsin Avenue. Similarly, the District of Columbia will make available to the National Park Service for park purposes those portions of the present Arizona Avenue now under the control of the District of Columbia that are not necessary for the development of the parkway proper.

ART. II. The making available of this right-of-way by the National Park Service and the making available to the National Park Service by the District of Columbia of that portion of Arizona Avenue not needed for the construction of the parkway proper are done with the understanding that the parkway is to be constructed by the District of Columbia and shall be limited to the use of passenger-carrying vehicles.

ART. III. The parkway proper (that is, the paved portion between the outside limits of curbs) shall, upon completion, be under the jurisdiction of the District of Columbia for all purposes, except that the control of traffic, policing by the U.S. Park Police, the operation and maintenance of lighting system and the issuance of permits shall be under the jurisdiction of the National Park Service and shall be administered in accordance with the approved National Capital Parks Regulations. It is further understood that that section of the project north of Van Ness Street from the end of the present Arizona Avenue right-of-way will be constructed on rights-of-way to be acquired by the District of Columbia as street areas, maintained and administered in the same manner in all respects as any other street area under the jurisdiction of the Commissioners of the District of Columbia.

ART. IV. The parkway will be constructed by the District of Columbia. The work to be done by the District, in connection with such construction, will include, in addition to the paving of the roadways the necessary curbs and drainage system, the initial lighting installation, guard rails, planting, shoulders, and other features essential to a completed project of a parkway character. Grading of the center strip or medial, as well as the necessary area outside of the shoulders, will be undertaken in connection with the initial construction in accordance with approval of plans as provided for in article VI and IX of this agreement. Access roads at the two proposed interchanges will be constructed with the main parkway roads and will be subject to the same conditions as described for the main parkway road.

ART. V. The National Park Service and the government of the District of Columbia will consult with each other during all stages of planning and construction, collaborating with each other with regard to all phases of reconnaissance and preliminary surveys to establish a location that is satisfactory to the District of Columbia and the National Park Service.

ART. VI. In the preparation of plans, the width of roadway, the width of surfacing, and the location and layout of access roads will be determined jointly by the National Park Service and the government of the District of Columbia.

ART. VII. The size of drainage structures, the elevation of grade lines across water courses, the depth of surfacing, the character and size of foundations, structural design of bridges, and all phases of improvements which affect the structural integrity of the proposed construction are features for which the government of the District of Columbia will be primarily responsible.

ART. VIII. The architectural design of bridges and other structures, including retaining walls and guard walls, and rate and shape of slopes in cuts and fills, the landscape development of the right-of-way, the location and design of park areas outside the curb limits of the parkway surfaced areas are features for which the National Park Service will be primarily responsible.

ART. IX. The contract plans and specifications will be prepared by the government of the District of Columbia and will include such architectural and landscape plans and specifications prepared by the National Park Service as the Park Service may deem necessary. Plans and specifications shall be subject to the review and approval of the Director of the National Park Service.

ART. X. During the period of construction, the National Park Service will make such inspections of the work as may be desirable.

ART. XI. Minor alterations which are authorized under the contract without a modification thereof and which are deemed necessary during the progress of the work may be ordered through proper channels after mutual agreement between the parties to this agreement.

ART. XII. When the project or any integral part thereof is nearing completion, the government of the District of Columbia will notify the National Park Service when the final inspection is to be made, allowing ample time for the contractor to complete the construction of any item recommended in the preliminary inspection. Final inspection shall be performed by the government of the District of Columbia officials in company with the National Park Service officials. If, upon final inspection, the project has been completed according to plans and specifications, the National Park Service will submit a written statement that the work has been performed in a satisfactory manner and is approved by the National Park Service.

ART. XIII. It is understood that it is the intention of the District of Columbia to submit this project to the Public Roads Administration, requesting its participation under the then current Federal Aid Highway Act. It is further understood that, in pursuing this method of financing and procedure for construction, the plans and specifications are subject to the approval of the Public Roads Administration. It is further understood that the government of the District of Columbia and the National Park Service will respectively bear their own overhead expenses of planning and technical participation from funds under their respective control.

ART. XIV. All existing underground utilities owned or controlled by the District of Columbia and other essential utilities, such as sewers, in the line of the parkway projection will be permitted to remain and continued in service. Additions to the present services will be permitted by joint approval as to location and other conditions as deemed necessary and advisable upon the joint approval of the Park Service and the District of Columbia. All such installations shall be accessible to the District government for maintenance, repairs and improvements as may be deemed necessary. After completion of the parkway, permits for other than District-owned utilities shall be issued and administered by the National Park Service after consultation and approval by appropriate representatives of the government of the District of Columbia. If necessary, the Park Service will make available to the District of Columbia for roadway repairs, cleaning of drainage structures, and like purposes, areas outside of the paved area of the main parkway.

That wherever in this agreement the government of the District of Columbia or the National Park Service are referred to, the term shall include their duly authorized representatives.

A. E. DEMARAY,
Acting Director, National Park Service.

Approved by the Commissioners of the District of Columbia sitting as a board, April 16, 1948.

G. M. THORNETT,
Secretary, Board of Commissioners.

GLOVER-ARCHBOLD PARKWAY

PURPOSE

Support the $880,000 item in the fiscal year 1960 District of Columbia budget as recommended by the Bureau of the Budget and approved by the House of Representatives and the Senate Appropriations Committee.

BACKGROUND

In 1893 the District acquired a 100-foot right-of-way for the length of Foundry Branch Valley, now known as Glover-Archbold Park. Right-of-way was for an all-purpose highway, including trucks.

Bordering on the 100-foot all-purpose highway right-of-way are:

Acquired	Area (acres)	Date	Percent of park
Purchased by Federal and District Governments [1]	76.9	1926–43	42.0
Dedicated by Glover [2]	78.0	1923	42.6
Dedicated by Archbold [2]	28.1	1924	15.4

[1] For park and parkway use.
[2] Terms of dedication permit parkway use in legal opinion of Corporation Counsel.

At present park has only a minor amount of useful, accessible recreation areas and is largely composed of unkempt woodland which is difficult to traverse. Debris and rubbish clutter about and a sewer line lies on the ground for a portion of its length.

Since 1948 the District has had formal written agreement with National Park Service that:

(a) District would build scenic, landscaped Glover-Archbold Parkway of 4 lanes fitted into natural contour of the park for passenger vehicles only.

(b) The parkway would "permit of the full enjoyment of the property for park purposes and at the same time supply the needs for traffic in this section."

(c) Parkway would utilize some of the District's 100 foot right-of-way, some of park.

(d) District would abandon use of its 100 foot right-of-way for all-purpose highway.

(e) District would make available to Park Service for park purposes portion of 100 foot right-of-way not utilized for 4 lane parkway.

In 1957, the National Capital Planning Commission approved a committee report, supported by the National Park Service representative, that Interstate Route 240 be constructed along routes "C" or "D", both of which lay in Glover-Archbold Park. That would have been an all-purpose highway (for trucks) of 8 lanes plus a 9th climbing lane.

In January 1958, the Board of Commissioners found that legal and moral obligations and sound government policy dictate against building an interstate (all-purpose) route in Glover-Archbold Park.

In their deliberations on the Mass Transportation Survey, the National Capital Planning Commission and the National Capital Regional Planning Council have publicly approved on November 7, 1958, a parkway in Glover-Archbold Park as part of the recommended regional transportation system. The National Park Service representative voted affirmatively.

In recognition of the 1948 agreement between the District and the Park Service, the Planning Commission and Planning Council showed no parkway in Glover-Archbold Park in excess of the 4 lanes agreed to in 1948.

In May 1959, the Planning Council and Planning Commission placed in the Mass Transportation System a freeway which would be in addition to the Glover-Archbold Parkway.

CONCLUSION

(a) The proposed parkway is "essential to the development of the park and parkway system of the National Capital, and the parkway can be made to serve as an access to the park so as to permit of the full enjoyment of the property for park purposes and at the same time supply the needs for traffic in this section" as stated in the 1948 agreement between the District of Columbia government and the National Park Service.

(b) The $880,000 item in the District's 1960 budget as approved by the House of Representatives and the Senate Committee on Appropriations should be passed by the Senate.

THE GERMAN CONFERENCES AND PEACE — COMMENCEMENT ADDRESS BY SENATOR MANSFIELD, OF MONTANA

Mr. AIKEN. Mr. President, on Sunday, May 24, 1959, the junior Senator from Montana [Mr. MANSFIELD] delivered a very fine commencement address at Gonzaga University, in Spokane, Wash. The address deals with the German conferences and peace, and is very thought-provoking.

I ask unanimous consent that the address delivered by the junior Senator from Montana be printed in the body of the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE GERMAN CONFERENCES AND PEACE

(Address of Senator MIKE MANSFIELD, Democrat, of Montana, at commencement exercises, Gonzaga University, Spokane, Wash., May 24, 1959)

As you know, there is a Conference of Foreign Ministers in progress in Geneva. This conference is likely to be followed in the summer by a meeting of heads of states. In short, we are embarked on what may prove to be extended negotiations in an effort to untangle the problems of peace which have accumulated in the wake of World War II.

We cannot forsee how long this process of negotiation may go on. Nor can we predict what it is likely to produce in the end. It is sufficient to the moment, however, if the negotiations represent a serious effort to make a start in cutting through the jungle of sterile slogans in which the problems of Germany and central Europe have been so long enmeshed. It is sufficient if a serious effort is made to find, in this jungle, the clearings of reason, the areas of adjustment of bonafide interests.

Negotiations on an international issue are never a simple process and the problem of Germany is most complex. Sometimes, as we discovered at the opening of the Geneva Conference, it is even difficult to decide whether the negotiators are to sit at a round table, a square table or at separate tables. Some of the issues which must still be dealt with are going to be, I can assure you, a lot more perplexing than that. At stake in the current negotiations may well be the future of many nations, the freedom of Europe and the peace of the world.

The task which confronts our new Secretary of State in these negotiations, therefore, is one of the most demanding which can fall to any man in public life.

I have no wish to add to his burdens by anything that I may say here today or, indeed, at any time. Let me stress that I have every confidence in the ability, the experience and the patriotism of Secretary Christian Herter. This sentiment, I may add, is shared by the entire Senate. Just a few weeks ago we confirmed his appointment by a vote of 93 to 0.

When Secretary Herter, as the representative of the President, speaks in Geneva, he is speaking for all of us. Let there be no doubt on that score either abroad or at home. Under the Constitution, it is the President and his designated representatives who conduct the foreign policy of the United States. The Senate advises in this process and, in the last analysis, it must consent. It is the President, however, directly or through his representatives, who must speak and act on behalf of the rest of us.

That does not mean that Senators do not have, in their individual capacities or as a body, any concern in matters of foreign policy. On the contrary they have a responsibility to consider any problem which affects—as foreign policy does—the fortunes, the happiness, the very survival of the people of the United States. Senators have an obligation to inform, to debate, to try to make a constructive contribution to the solution of such problems. They have a clear-cut duty to speak out on these problems, when conscience and reason compels, to speak out notwithstanding the fear of censure or the political attractions of silence.

May I say that many Members of the Senate have spoken out on the German situation in recent months and the impact of their words, I believe, has been felt in a constructive fashion in the basic policies from which we are now negotiating in Geneva.

I, myself, had occasion to advance certain ideas on Germany last February in the Senate. I did so because I was persuaded, then, that we were drifting dangerously into crisis through a reluctance to face changes in the German situation and a reticence to make adjustments in our policies to meet these changes. I have discussed German problems on several occasions since that time. I propose to speak of them again today. I do so because these problems are of special concern to you graduates. It is your generation which will bear the heaviest consequences of any failure of my generation to deal competently with them.

BACKGROUND OF THE GERMAN CONFERENCES

Let me point out at the outset that in present circumstances, there are several regions of the world in which there exists a serious potential of conflict. War can begin in the Far East. It can begin in the Middle East. It can begin in Germany and central Europe, the area which I propose to discuss with you now.

I put this fact, this grim fact, to you bluntly. I do so because I am satisfied that as mature and responsible Americans you do not need to be spoon-fed on reassurance that all is right with the world. I do so, too, because I believe the tragedy of war is best prevented by facing its possibilities in a realistic fashion, by weighing these possibilities carefully, by acting on them honestly and in good time.

I will not hold out to you the comforting thought that nuclear war, being too terrible to contemplate is therefore too destructive to be fought. As a former teacher of history, I find this thought—despite its considerable currency—completely illusory. It is unsupported by the historic experience of mankind.

War can come today as it has come many times in the past. It can come by the design of madness and aggression. It can come by accident or miscalculation, despite a basic desire of all to avoid it. It can be a limited conflict, as in Korea, or it can be of an extent which will reduce to radioactive ruin the legacy of several thousand years of human civilization.

It is against this background, it seems to me, that the present conference in Geneva and any others in Germany which may follow must be seen. The danger of conflict in the German situation is real. It will not be dissolved by ignoring the reality. It will not be dissolved by a breast-beating bravado. Nor will it be dissolved by protestations of peace on all sides, while the clouds of conflict continue to gather.

One cannot say at this time with any certainty whether it will be possible to end or even to reduce significantly the danger of war in Germany and central Europe. To find out the chances for doing so is, after all, the underlying purpose of the present conference.

It seems to me, however, that if there is to be a valid hope for a more durable peace, it is to be found in an accurate identification of the sources from whence the danger of war arises. Then, if the will to peace is present in all, or, to put it another way, if there exists a sincere desire on the part of all to continue to live in a recognizable civilization, there will be a common effort to abate, control, or eliminate these sources. That common effort will take the form of frank and honest negotiations, negotiations which can produce conditions of peace through mutual restraint, through concessions which match concessions.

SOURCES OF CONFLICT IN GERMANY

Let me try first to describe for you the principal sources of potential conflict in Germany. It is a dangerous oversimplification, it seems to me, to see the danger of war in that country solely in terms of the diabolical doings of our opponents. That is a childlike, or, if you will, a propagandistic interpretation of the facts of international life. To be sure the Soviet Union is ruthless in the way it strives to expel freedom from all of Germany. Indeed, the Russian rulers will leave, unturned, no stone which they can lift—not only in Germany but anywhere in the world in order to undermine freedom. In recognizing that, however, let us not overlook in all honesty our own desire to terminate Soviet influence in Germany and our own antipathy to communism wherever it may exist in the world.

To conclude that the Russians are the sole cause of the problem in Germany is to ape the practices of Soviet propaganda which have held that the problem is due solely to the machinations of the United States and other Western nations. A mutual finger pointing of this kind may relieve feelings. It may fill both sides with self-righteousness. It does not abate the danger in Germany and central Europe. The threat of war remains and it is a threat not only to the well-being of Russians but of Americans as well and, indeed, of all humanity.

We shall get closer to the reality if we see the problem not as a one-sided matter but, in part, as a mutual repulsion between freedom and communism, a repulsion which has led to a cold war fought largely without Marquis of Queensbury rules. That cold war, acting as it does, to keep a high state of tension in Germany is, indeed one of the major sources of the potential conflict.

But let us go on from there. Let us recognize, too, that the danger of war also derives from the close and unstable contact of hostile and ever more powerfully armed military forces—Western and Communist—in a divided Germany and, particularly, in a divided Berlin. The contact, at any time, can produce as it has, local military incidents or clashes. It is far from inconceivable that such incidents, in this day of quickening countdowns, can precipitate a war of prestige, a war of accident which no nation really wants. It is risk enough when a war of annihilation can be set in motion by a calculated word from Moscow. It is risk beyond reason when it can be set off by the madness or misjudgment of any one of the many military commanders scattered through Germany.

Let us recognize, finally, that the danger of war in Germany derives in major part from still a third cause. It derives from the festering of a large collection of unsolved political problems in and around that nation. Principal among them is the continued division of Germany, 15 years after the war, and the continuance of a status for that nation which while it is no longer one of war is not yet one of peace.

These unsolved problems are related to the ideological struggle between freedom and communism. They are related to the present juxtaposition of the armed forces of West and East. Perhaps most important, however, they stem from nationalist fears, rivalries, hopes and presumptions which have characterized international relations within Europe for generations.

All of these sources, then, contribute to the danger of war in and around Germany. Further, they pour their poisons into the relations among Europeans—East and West—heightening the estrangement between the two segments of the Continent and acting to perpetuate the injustice suffered by millions who are still denied genuine national equality and basic political rights in Eastern Europe. Finally in the world at large, they conspire with other sources in the Middle East and in the Far East to keep the human race continuously on the edge of disaster.

ATTITUDE TOWARD CONFERENCES

It is with these sources of conflict in and around Germany—all three of them—that the present conference and those which may follow must come to grips. Unless they do so they will serve little useful purpose. On the contrary they can do much harm.

As I have already noted the period of negotiation on which we are now embarked may end quickly or it may go on for a long time. It may produce results in terms of a more durable peace or it may fail to do so. I daresay that the people of the world will understand and appreciate an honest try at achieving agreement even though its success may be limited. They will not understand, they will not appreciate a distortion of these conferences which turns the deepest of human hopes, the hope for a secure peace, into a finger-pointing exercise in self-righteousness, into a search for the hollow victories of propaganda war.

I believe our Secretary of State is off to an excellent start in Geneva. His remarks have been temperate and restrained. They indicate clearly our earnest desire for fruitful negotiations. I wish that I could say the same for the attitude manifested by the Soviet delegate.

Nevertheless, it will be well to reserve judgment on current negotiations until all the results are in. That course seems to me best calculated to support the efforts of those who represent us at Geneva. That course is best calculated to aid in bringing about sensible agreements for peace.

POSSIBLE RESULTS OF THE CONFERENCES

Without straying from that course, I believe it is possible to indicate to you the various directions in which these conferences can lead.

(1) These conferences can lead—again, let me be blunt—they can lead to a dead-end. There is no built-in guarantee of their success. They will certainly lead to a dead-end if propaganda advantage takes precedence over peace as the objective of any nation. They will certainly lead to that end if the words of conciliation are not encased in the acts of accommodation.

These conferences can fail, they will fail, if any nation seeks a unilateral victory in them. The fact of the matter is that either all will win, in the sense that they will strengthen their highest common interest in the survival of a recognizable civilization, or all will lose.

We will do well to recognize now the meaning of a failure of these conferences to us and to others. It does not follow that war will come the day after, a month after, a year after. It does follow that there is likely to be an increase in the tension in and around Germany, as well as elsewhere in the world. It does follow that the cost to all of us and to others of cold war and of armaments will rise. It does follow that an ever-increasing segment of the material and manpower resources of all nations will be diverted to military purposes. I may note in this connection that 61 cents out of every one of our tax dollars that was spent by the Federal Government in 1958 went to maintain the defenses of the Nation, and the fiscal experience of other leading countries is similar. It does follow, too, that if these conferences fail, the brink of war on which the world now walks is likely to become ever more narrow as the pressures of potential conflict, unrelieved, continued to pound relentlessly at the remaining footholds of peace.

(2) These conferences can lead in a second direction. If they follow this path they will appear not to have failed. They might even appear to have succeeded and yet they will not succeed. To put it another way, they may follow the pattern of the Geneva Conferences of Heads of State in 1955. You will recall that meeting and its consequences. It produced what seemed to be solutions but what, in fact, turned out to be generalizations on peace. It produced a momentary abatement in the cold war and with it, a grave readiness on the part of free peoples to accept the illusion of peace as the actuality of peace. The real sources of conflict, scarcely touched at Geneva, continued to operate. And in the ensuing years we came very close to war in Suez, Lebanon and the offshore islands of China. The cold war was resumed. The arms race intensified, with the West disadvantaged by its own laxity.

We shall repeat the pattern of Geneva–1955 in these current conferences only at the peril of heightening the danger of war in the future. We shall repeat it if we assume that the only threat to peace in the current crisis is Soviet pressure. The Russians may relax that pressure on Berlin for a month, 6 months, indeed, indefinitely. But if that is all that is produced by these conferences, the danger of war will not really be lifted. For as I tried to indicate at the outset the international problem in and around Germany is fed, not by Soviet diplomatic maneuvering alone but by multiple sources.

(3) This suggests, then, the final direction in which these conferences can go. If the will to peace is genuine, if the negotiations are honest, however hard the bargaining, they need not end in failure. Nor need they end in an illusion of accord which masks a reality of discord. They can produce a pattern of evolving peace in and around Germany.

If you will recall the sources of conflict which I suggested earlier in my remarks, I believe you will see, readily, the nature of this pattern. There will be, not merely a momentary easing of Soviet pressure on West Berlin but a new interim status for the entire city of Berlin with a United Nations or some other form of international guarantee of its security until it is once again the capital of all Germany. There will be arrangements which will provide for the progressive unification of Germany and a progressive equalization of the public rights and duties of all Germans—East and West. There will be a progressive easement of the danger of war which now arises from the close contact of Communist and free forces in Germany and from the accumulating power of the armaments—East and West, German and non-German in that region. There will be a progressive healing in all the relationships of the nations—East and West—of the divided continent of Europe.

May I say in this connection that I hope that the participation in the present meetings will continue to be limited to Russia, France, Britain, and the United States and the Germans of both East and West. This limited membership seems to me the best way to progress, at this time, on the immediate problems of Germany, and I believe Secretary Herter is quite correct in insisting upon maintaining the limitation.

However, I do not think it is too soon to begin planning for a larger all-European conference. It is in such conference that the representatives of Poland, Czechoslovakia, of Italy, Belgium, Netherlands, Denmark, indeed of all the European countries can make their voices heard on the problems of peace of Europe and, on other issues of primary interest to the people of that continent. I would hope, moreover, that in such a conference both the United States and the Soviet Union would remain in the background rather than in the foreground.

To return to the matter of the German conferences, I should like to emphasize that we cannot, alone, govern their outcome. We cannot, alone assure that they will move in a constructive direction. What the Russians do or do not do obviously will have a profound influence upon them. What the European nations, east and west, and the Germans, east and west, contribute to or detract from them—directly or indirectly—will have a profound influence on their outcome.

When that has been said, however, let us recognize that no single influence in these conferences will be greater than that of our country. Let us recognize that fact, not with arrogant pride but with a deep sense of humility, with a full awareness of the grave responsibility which it places upon us. It will rest heavily with those who speak for the Nation in these conferences—the President and the Secretary of State, to work with dedication to prevent these conferences from ending in failure. It will rest heavily with them to avoid creating the illusion of settlement when, in fact, there is no settlement. It will rest heavily with them to lead this Nation in concert with others towards agreements for an equitable and evolving peace in Germany. If they do so lead they will not lack for support at home or from decent men and women throughout the world.

VISIT TO THE SENATE BY MEMBERS OF THE CONGRESS OF NICARAGUA

Mr. MORSE. Mr. President, I am delighted to have our majority leader present on the floor, because I know he will share my delight in presenting to the Senate this afternoon three very distinguished visitors from a Latin American Republic.

In my capacity as chairman of the Subcommittee on American Republics Affairs, it is my privilige and honor to introduce these three distinguished guests, who sit near me on the floor of the Senate at the present time. Two of them are Senators in the Nicaraguan Congress. One is the speaker of the Nicaraguan House.

Before I introduce them by name, I should like to take a minute to tell the Senate of the United States something about their backgrounds and great records.

The first man I shall introduce is the president of the upper house, the Senate, of the Republic of Nicaragua. He was born in 1894. He is a physician and surgeon, having graduated from the University of Pennsylvania in 1919.

He is a member of the Liberal Party in Nicaragua. He has served as visiting physician at Abrington Memorial Hospital, Pennsylvania, and at the Mayo Clinic, Rochester, Minn.

In 1930 he served as Nicaraguan Consul in Baltimore, and has studied hygiene and public health at Johns Hopkins Medical School.

In 1936 he was Nicaraguan Minister of Foreign Relations, and later served as Medical Director of the National Guard and Chief of the Department of Health.

It is a great privilege and high honor for me to introduce Senator Luis Manuel Debayle. [Applause, Senators rising.]

Mr. President, our second honored guest, another senator from Nicaragua, was born in 1900. He studied business administration and economics in the United States in 1919 to 1929 at Washington State College and New York University.

In 1957 he was a candidate for President of Nicaragua on the Conservative ticket.

It is a great honor for me to introduce Senator Edmundo Amador Pinedo. [Applause, Senators rising.]

Mr. President, our third distinguished guest is the speaker of the House of the Nicaraguan Congress. He was born in 1915. He is a lawyer. He was a member of the board of directors, Mortgage Bank of Nicaragua from 1944 to 1945; Minister to Costa Rica from 1945 to 1948; and Consul General in New York from 1948 to 1950. He was elected to the Nicaraguan Congress in 1951.

I am privileged to introduce the speaker of the Nicaraguan House, Congressman Juan Jose Morales Marenco. [Applause, Senators rising.]

Mr. President, I am sure I bespeak the pleasure of the entire Senate when I extend to our distinguished guests from Nicaragua a most sincere welcome to the Senate of the United States.

ACTION NEEDED ON AREA REDEVELOPMENT

Mr. RANDOLPH. Mr. President, the opinions of financial writer Sylvia Porter are published in many daily newspapers. In a recent syndicated column she indicated that the Senate of the United States had acted intelligently when it voted affirmatively on the area redevelopment bill.

Inasmuch as Miss Porter is a specialist in reporting and evaluating matters relating to the expenditure of dollars and the dividends from the dollars which are expended, I believe there is a special significance in the comments as published in her May 21, 1959, column.

Certainly an implication of this Sylvia Porter article is that the House of Representatives should take favorable action on the area redevelopment measure.

I feel it appropriate that the column written by her and published May 21, 1959, in the Cincinnati Post and Times-Star be printed in the RECORD, and I ask unanimous consent that it be included at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ACTION, NOT STUDY NEEDED

(By Sylvia Porter)

When Senate Majority Leader JOHNSON made headlines the Nation over a few weeks ago with his proposal that Congress create a special commission to make on-the-spot studies of unemployment so our lawmakers could "taste, smell, feel and hear the despair of those parts of the country where men and women cannot find work," presumably he was sincere.

Whether JOHNSON was or wasn't, his commission program is being quietly sabotaged. And the pickup in employment since has, as Senator GOP leader DIRKSEN says, "obviously diminished interest in setting up" any unemployment commission for immediate or long-term purposes.

But we do not need another commission to study the character and location of the 3,627,000 who were jobless in this country in mid-April. As I hope the previous two columns dramatized, we have plenty of facts about who our unemployed are, where they are.

We know that while unemployment across the board is falling, pools of joblessness remain in long-depressed or recently-blighted areas, and no foreseeable business upswing is likely to empty these pools.

We know that unemployment is concentrated among adults, married men in unskilled or semiskilled work classifications and the percentage of joblessness among nonwhites is double that among white workers

We know that joblessness is localized in areas which have been hit by industrial migrations and that among our unemployed is a hard core of 1,400,000 who have been out of work for 15 weeks or longer.

We know that a major problem is the immobility of the unemployed in these regions—their inability or refusal to follow the jobs from, say, Fall River to Fort Worth, from Detroit to Dallas.

We know that one solution for depressed areas is attracting new industries which can use the skills of workers in the areas and another solution is a sound program for retraining and relocating workers.

We know all these things—and as Labor Secretary Mitchell is emphasizing, "In our general rejoicing, about the downturn in joblessness, we must not forget them."

Specifically, it's obvious that most chronically depressed areas in such States as Massachusetts, West Virginia, Pennsylvania, Michigan, are not going to be able to rejuvenate themselves without Federal aid. The differences between the administration and the democratic leadership are not over the need for area assistance and development legislation. The differences are over how to aid and how much to aid. Now—before we get into trouble again—is the time to rescue this legislation from the political bog, put it through, make it work.

It's obvious that our program of Federal-State unemployment insurance is a messy, inadequate hodgepodge. Some want to overhaul the system completely, vastly expand it; others think the wisest approach is emergency shots to the system when the whole economy needs a boost.

It's obvious that we must find ways to help workers when their jobs are wiped out. If private industry can plan so well to shift money and motors from one location to another, why can't it plan to shift manpower, too? If industry can anticipate its production needs, why can't it also anticipate its manpower needs? If we ask the right questions about worker training and retraining, location and relocation, we'll get the right answers.

We don't need more study commissions. We need action to erase the spots of joblessness which are bringing suffering to millions and disgracing our entire Nation. And we need the action now.

Mr. RANDOLPH. Mr. President, it is in order, I believe, for me to echo the admonition written by Miss Porter; namely, that "we need to erase the spots of joblessness which are bringing suffering to millions and disgracing our entire Nation. And we need the action now."

This is not to engage in controversy as to the validity of the columnists's assertion that "we don't need more study commissions"—which is an easy statement to make in retrospect, even by some among us in this body who wholeheartedly cosponsored the majority leader's timely unemployment study proposal.

Neither should there be controversy about Sylvia Porter's declaration that "it is obvious that we must find ways to help workers when their jobs are wiped out." This forthright statement only serves to focus attention on the fact that both the Senate-passed proposal of the majority leader for a study commission on unemployment and the Senate-passed area redevelopment bill are languishing in the other body of the Congress.

Even if the study commission might not be needed, certainly the action indicated by Miss Porter is essential.

DISTRICT OF COLUMBIA APPROPRIATION ACT, 1960

The Senate resumed the consideration of the bill (H.R. 5676) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1960, and for other purposes.

Mr. MORSE. Mr. President, as I indicated on the floor of the Senate last Friday, it is my intention today to offer an amendment to the pending bill, H.R. 5676, in an attempt to secure sufficient funds to finance a program of free school lunches for 7,000 boys and girls here in Washington—the rich Capital of a wealthy Nation—who, according to testimony presented before the Subcommittee on Public Health, Education, Welfare, and Safety of the Senate Committee on the District of Columbia, simply do not have enough to eat.

Before I officially call up my amendment, identified as "5-22-59-C," and now at the desk, I wish to say for the RECORD, Mr. President, that I always regret the rare occasions—and the RECORD shows they are rare—when I do not find myself in complete agreement with the junior Senator from Rhode Island [Mr. PASTORE].

As a member of the Committee on the District of Columbia of the Senate for some years I wish to say, Mr. President, that we are all greatly indebted to the very able leadership of the junior Senator from Rhode Island on the Appropriations Committee, as chairman of the subcommittee which has jurisdiction over District of Columbia fiscal affairs. Because of our great gratitude toward the Senator from Rhode Island, the Senate may be assured I would not be taking a position in opposition to any specific recommendation which he brings to the floor of the Senate unless I were deeply convinced that my duty as a member of the Committee on the District of Columbia really compelled me to do so.

It is in the spirit of being completely impersonal that I participate in this debate this afternoon, in the hope that the amendment which I propose to call up may be taken to conference. If I cannot reach such an understanding with the Senate Committee on Appropriations, I express the hope that the Senate itself will vote to send the amendment to conference by way of adopting it.

Therefore, Mr. President, I call up my amendment identified as "C" at the desk, and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 2, line 1, it is proposed to strike out

$27,000,000" and insert in lieu thereof "$27,700,000".

On page 7, line 10, it is proposed to strike out "$46,753,000" and insert in lieu thereof "$47,453,000".

Mr. MORSE. Mr. President, in keeping with my determination at all times, so far as my knowledge is concerned, always to be completely fair to the Senate and to give all Senators the facts about any matter of which I have knowledge, including the procedural facts, I wish to point out to the Senate that my amendment is subject to a point of order, because it provides for amounts over and above the budget estimates submitted. I thought notice of that fact should be given to the Senate. Because of that fact, last Friday I filed a notice of my intention to move to suspend the rule, which is a debatable motion, in case any Senator wished to raise a point of order in opposition to my amendment.

Mr. President, with that fairness on my part, I think, it is equally fair that we ought now to try to reach a decision procedurally as to whether a point of order will be raised, although I suppose technically a point of order can be raised at any time prior to a final vote. At least I have served notice on the Senate that my amendment is subject to a point of order, and if during the debate a point of order is raised, I shall then ask for consideration of my motion to suspend the rule, and then debate the merits of my amendment under that motion.

Mr. President, on the merits of my amendment, I think it is shocking, but true, that a great many children in the District of Columbia do not have enough food. The color of the skin of most of those children is black. Not all, but most, of the children are colored children. This fact in no way reduces one wee bit what I consider to be the obligation of the Congress to support a program which will supply those hungry children with at least one square meal a day while school is in session.

As the hearings of my subcommittee brought out time and time again from witness after witness, we should even go so far, in the summer months, as to supply a free lunch program on the playgrounds of the schools of the District of Columbia for children who would come at noon to get such a lunch. Volunteer after volunteer from neighborhood house, church group, parent-teacher group, and other human welfare agencies in the District of Columbia, made perfectly clear, as the printed hearings will show, that they would help supply the volunteer workers necessary for the distribution of food during the vacation periods.

It is just as important, Mr. President, that these boys and girls eat at least one square meal a day during the summer months, when school is not in session, as it is that they do so when school is in session.

WHAT ARE THE FACTS?

Mr. President, I never knowingly argue about a question of fact until I first do everything I can to try to find out what the fact is. In presenting my amendment today, I shall devote most of my argument to the question: Is it a fact that some 7,000 little boys and girls of grade-school age in the District of Columbia do not have enough to eat?

I say at the outset of my argument, that in my judgment there is no doubt about it; it is a fact. But I have the burden of proof, it seems to me, when I offer an amendment to an appropriation bill, coming from the Appropriations Committee, to establish the fact on which I bottom my argument. I am willing to assume that burden of proof this afternoon and then when I have finished, to let the Senate speak for itself, as to whether I have sustained it.

It is a matter of great regret to me, though it is no one's fault, and only due to the time schedule of the Senate, that we are proceeding to debate the District of Columbia appropriation bill before the hearings of the District of Columbia Committee with respect to hungry children are printed. We do have the page proofs. We have that much. We have worked on this matter, I will say, as rapidly and as hard as a conscientious staff could possibly work.

In those hearings we made requests for certain additional information, for certain supplementary memoranda and reports and studies, which had to be filed.

I should like to say something more on behalf of the District of Columbia Committee of the Senate. In the back of the Senate Chamber sits the chief of staff of the committee, Mr. Smith. There sits in the Chamber the general counsel of the committee, Mr. Gulledge. There sits at my left the committee's very able legislative research assistant, Mr. Lee. There sits on the Republican side Mr. Feldman one of the most able committee lawyers in the Senate, in my judgment, representing the minority of the District of Columbia Committee.

I thank these committee attachés for the great help they have been to the District of Columbia Committee. I know when I express these words of appreciation I can be sure that the chairman of the committee, the Senator from Nevada [Mr. BIBLE] who is sitting in the Senate Chamber at the present time, will endorse every word I say about the wonderful work the conscientious staff of the District of Columbia Committee performs for our committee week in and week out.

The fact that our printed hearings are not before the Senate—as I wish they could be—for consideration as we engage in the debate on my amendment is due only to the pressure of time, and not to any lack of effort on the part of any member of the committee or any member of the committee staff. My argument will be based upon the factual information which can be gleaned from the page proofs of our committee hearings regarding hungry children.

I present for the observation of Senators those page proofs, and assure the Senate that the hearings were both extensive and intensive. In my judgment they set forth the proof, which leaves no room for doubt, that there are at least 7,000 hungry children in the grade schools of the District of Columbia, with respect to whom I say quite frankly we have a clear duty to appropriate the funds necessary to provide for the free school lunch program for which the Superintendent of Schools of the District of Columbia asks, and for which those who have the great responsibility of teaching these boys and girls ask. They are our best witnesses.

THE RESPONSIBILITY OF LEGISLATIVE COMMITTEES VERSUS THE APPROPRIATIONS COMMITTEE

I make no criticism of the Appropriations Committee when I make the argument I now lead into; but, as a Member of this body, I repeat what I have said at other times, namely, that I am always concerned about the question of where the legislative jurisdiction and prerogatives of a legislative committee of the Senate end, and the appropriation responsibilities of the Appropriations Committee begin.

I well know that we cannot draw a clear-cut line between those two committee functions—the legislative function of a legislative committee and the appropriation function of the Appropriations Committee. I well know that Senators who sit on the Appropriations Committee must, from the very necessity growing out of their position and their power, exercise a considerable amount of legislative control over legislation which goes through the Senate. We cannot change that. It is a part of the legislative process. Yet I am talking about something with which each of us, whether he be a member of the Appropriations Committee or not, should concern himself.

I have taken it upon myself to study the legislative history of the establishment of the legislative committees and the establishment of the Appropriations Committee. There is no doubt about the fact that it has always been the intention that the legislative decision should be left to the Senate through its legislative committees, and that the Appropriations Committee should have the responsibility of carrying out the legislative decisions, by way of appropriating the money necessary to carry them out, keeping in mind, of course, its appropriation responsibility.

I have made that argument because, when we come to pass judgment on the question whether we should feed these 7,000 boys and girls in the District of Columbia who need a school lunch, we are talking, I think, about a legislative responsibility of the Senate as a whole. In particular, we are talking about a legislative problem of particular concern to those of us who do so much work on the District of Columbia Committee.

A few moments ago the Senator from Illinois [Mr. DOUGLAS] spoke about the thankless job which the Senator from Rhode Island [Mr. PASTORE] has as chairman of the Appropriations Subcommittee on District of Columbia Affairs. True, it is a thankless job. That is why I expressed my thanks and my gratitude and respect to him as a Member of the District of Columbia Committee and of the Senate.

HOME RULE WOULD BE A SOLUTION

His job is not the only thankless job which bears upon the District of Columbia problems. Many of us have been trying to get rid of these thankless jobs by

giving to the citizens of the District of Columbia first-class citizenship through a true home rule bill. We have been trying to do it for years; but so long as this thankless job rests on our shoulders we have the duty to keep faith with the trust which I think is ours, as members of the Committee on the District of Columbia. I believe that I have this very important legislative trust. I believe that I would be derelict in my duty—regretful as I am to disagree with the Appropriations Committee—if I did not take the time this afternoon to make this record in behalf of the interest of the 7,000 boys and girls who, beginning next year, should have the benefit of a school lunch program.

It is my hope that upon the conclusion of my presentation the Appropriations Committee will be compelled by the facts and the demonstration of need to accept my amendment and to carry it to conference. I feel sure that, armed by the record which will be made upon the floor today, they will prevail in conference and bring back for approval a conference report which will contain the necessary funds. It is not conceivable, Mr. President, that the men and women who make up the Congress of the United States, once they know the facts, should fail to take the proper corrective action.

Before I proceed to discuss further my first amendment, I want to thank the very able and distinguished Senator from Rhode Island [Mr. PASTORE] for his courteous hearing of the testimony I presented before his subcommittee.

TRIBUTE TO STAFF OF APPROPRIATIONS COMMITTEE

I also wish to thank the very capable staff of the Appropriations Committee for their help to me in drafting my amendments. I think that the professional assistance which they provide each Senator deserves tribute. It is a strength of our committee system.

I digress for a moment. There I was, suggesting that I get help from the staff of the Appropriations Committee in the drafting of amendments which would seek to modify the report of the Appropriations Committee.

In keeping with what I consider to be their staff membership trust and duty to serve all Members of the Senate, those who are not members of the Appropriations Committee as well as those who are on the Appropriations Committee, they accorded me the professional help needed in order to draft the amendments which I am offering this afternoon. I wish again to thank the staff members of the Appropriations Committee for their professional assistance.

COMMENDATION OF SENATOR PASTORE

I also wish to commend the Senator from Rhode Island [Mr. PASTORE] for many constructive amendments which he and his colleagues have made to the pending measure. In particular the position that has been taken regarding an increase in the Federal payment to the District is most encouraging. I hope that when we have concluded today, he will be moved to join with me in an additional modest increase in the Federal payment for a most worthy cause.

PURPOSE OF AMENDMENT C

The purpose of the amendment is simple. It would modify the committee amendment which was adopted en bloc by increasing the Federal payment by $700,000. The purpose of the increase is to provide $700,000 in addition to the $133,000 provided by the measure for the establishment of a program to feed needy pupils in the elementary schools of the District. It is necessary for this increase to be made if 7,000 children who do not have enough to eat are to be fed. The amount provided by the committee, $133,000, will supply school lunches for about 1,000 of the neediest youngsters. This figure was recommended by the Commissioners of the District in their presentation to the committee as necessary to finance a pilot program in this area. My amendment would provide free lunches to the neediest 7,000 elementary pupils.

The District Commissioners offered the same program to my subcommittee. However, after I had heard all the witnesses testify as to the magnitude of the need, I could not support the very limited program the District of Columbia Commissioners had recommended.

I know that in this area there is no disagreement between the able Senator from Rhode Island who is representing the Appropriations Committee and myself on the rightness and the duty that rests upon the Congress to see to it that hungry children are fed. The difference, rests not on a matter of principle, but upon a judgment as to what the facts of the matter are. If I can persuade the Senator that the case made before my subcommittee in 5 days of hearings substantiates the fact that there are a minimum of 7,000 children who need a lunch at school here in the District, I am convinced that he will take the matter to conference and fight diligently for it.

THE EVIDENCE OF THE HEARING RECORD

What then was the evidence presented which convinced me that the 7,000 figure is a tragic fact and not an overestimate?

To answer the question properly, I should like to take the Senate back to hearings held 2 years ago which resulted in the establishment of a surplus food program. Witness after witness then testified as to the facts regarding the evil of literal starvation in this Capital city. Our 1959 hearings were held for the purpose of ascertaining what had been done and what needed still to be done. As I said at the first day of the hearing—and my statement may be found on pages 55 and 56 of the page proof copy of the hearing record, which is available at my desk:

Senator MORSE. Before I call on the first witness, Commissioner McLaughlin, I want to make clear to the Commissioner that the chairman of this subcommittee highly approves of the point of view and the outlook that the Board of Commisisoners have expressed time and time again, with regard to this overall problem that confronts the committee this morning. This committee could not possibly receive better cooperation from the governmental body than you, sir, have extended to us at all times. Certainly we have had our difference of opinion in implementing some of our common objectives. It is easy for us to sit up here on a Senate committee and say to the Commisisoners, "Why don't you do this and why don't you do that, or why has this difficulty developed; why didn't you prevent it?" but overlook the fact that we are the ones who supply or fail to supply the funds necessary to carry out these programs.

The Board of Commissioners know the position the chairman of this subcommittee has taken for years, as a member of the Senate District Committee. I repeat it this morning, for the record, that I think the Congress of the United States has failed the District with respect to supplying that proportion of funds that the District is entitled to, both on the basis of need and historic pattern, which at one time was a 50–50 ratio. I have recommended year after year, and will again this year, that the Federal Government supply a larger proportion of the funds to the District of Columbia. Yet, this committee is caught in a difficult situation. We are confronted with a Congress that has not been supplying the District of Columbia with the funds needed to do the public aid work that I think the facts show are necessary. We are also confronted with the duty, as committee members, of bringing to public disclosure the facts which exist with regard to our public aid program needs, of which I consider the school-lunch program a very essential part.

Now, it is my hope in this hearing, as it has been in all past hearings, to find the answer to the first important question, what are the facts? We cannot legislate wisely, whether it is on the school-lunch program or an aid program for the indigent, or on any other program affecting the District, unless we first have the facts.

The purpose of this hearing is constructive, not negative. The purpose of this hearing is not to fix blame. I'm not interested in blame. I'm interested only in finding out what the real facts are, not only in connection with the school-lunch program needs, but in connection with the whole aid program to indigent people in the District of Columbia. When the facts are developed then we'll be in a position to answer the second question, and these are the only two questions that I have ever interested myself in as a Senator in the U.S. Senate.

First, what are the facts about an issue; and second, what legislative course of action, if any, will be helpful in meeting these problems that the facts disclose. I shall always try to apply to the facts, once I find them, the rule that the legislative course of action ought to be such as will promote the general public interest.

Now, I think, gentlemen, that you will have an opportunity in this hearing to carry out what you know is a basic tenet of mine, that in a democracy, there is no substitute for public disclosure. The purpose of this hearing, may I say to the press, is to provide the school board, to provide the District Commissioners, to provide the leaders of the neighborhood houses that are going to testify again, to provide all interested parties, with a forum in which we can publicly disclose what the facts are so that the legislative representatives in the Congress can act more intelligently on this problem.

Before I call on the first witness, I want to pay my compliments to the House group that has manifested a common interest with the Senate group, in trying to find out what the facts are, so that we can coordinate our legislative effort this year in presenting to the Congress, as a whole, whatever legitimate reforms are necessary to help the school board, to help the District Commissioners, to help the welfare agencies, to the end that we will remove, if it is true—if it is true—we'll remove this blot on the reputation of the District of Columbia, that the Capital City of the United States has still failed to take adequate action to meet the food needs of a considerable number of children in the District of Columbia.

Commissioner McLaughlin in his testimony indicated several steps which were taken. I call to the attention of the Senator especially his third point found upon page 58. The Commissioner testified:

3. A program for distributing surplus foods was established as of July 1, 1957, and was operated at a cost during that fiscal year of $116,000. The cost to date for this fiscal year has been $103,000. The value of the food distributed during the first fiscal year was $595,705 and to date during this fiscal year the value of food distributed has amounted to $867,934. At a cost of $220,000 there has been distributed food valued at $1,463,639. This food has gone to people receiving public assistance and other low-income groups in increasing numbers and, as of January 1959, 12,477 families made up of 41,859 individuals, of which 20,150 were children, received surplus food.

THE FIRST PROOF OF THE 7,000 FIGURE

I invite the attention of the Senate to the fact that in January 1959 families which included 20,150 children were eligible and receiving surplus food because either the family was on public assistance or it had been certified as of low income but for one reason or another was ineligible for public assistance. A man might be unemployed, his family destitute, but as the Senate knows, under our very stringent welfare regulations as long as he is capable of working, he is ineligible for public assistance. The family might lack a few months of fulfilling the 1 year residence requirement for eligibility, to cite another possibility. Surplus food was a godsend to such families. It is not much—just flour, cornmeal, rice, butter, cheese, and dried milk—but it certainly helped.

My first proof of the 7,000 figure, as a minimum, therefore is the indirect evidence of the Commissioner. Surely if 20,150 children are in the low economic category which made them eligible for surplus food, more than 1,000 would profit from a school lunch program. I suggest that one-third of those children, the neediest, may very well be found in our elementary schools. One-twentieth, on the face of it, seems to me to be a substantial underestimate.

I might add at this point, testimony which can be found upon page 63 regarding the operation of the free school lunch program in our high schools and junior high schools, by Mr. Reynolds, of the District School System, in response to a question from the Senator from Vermont [Mr. PROUTY], revealed that 40 percent of lunches at the upper school level were provided free to children from families receiving public assistance and 60 percent of the free lunches went to nonpublic assistance aided children.

I stress this differential to counter any argument which may be raised to the effect that because welfare payments have been raised by a small amount there is no need for a school lunch program.

In support of that argument, I read from a letter dated May 26, 1959, addressed to Mr. Charles W. Lee, the research assistant to the committee, from Gerard M. Shea, Director of Public Welfare:

DEAR MR. LEE: In response to your request for information concerning rental charges in excess of the public assistance rental allowance, we can only report the following illustrative situations taken from public housing.

(a) The maximum public assistance allowance for 10 or more persons is $76; the National Capital Housing Authority charge for 6 bedrooms is $82.

Let us digress for a moment to consider the significance of that statement by Mr. Shea, Director of Public Welfare. The maximum amount which can be applied for rental out of the public assistance grant for these persons is $76. But the actual rental which has to be paid is $82. Where does the rest come from? Out of food. That means that even these public assistance families have to have a certain amount of their limited allowance for food pared off, in order to meet the cost of the higher rental which must be paid, because only $76 in these cases can be used for rental.

Mr. Shea continues:

(b) The maximum Public Assistance Division allowance for four persons in $61; a couple with a boy and girl over 6 years of age must have three bedrooms under NCHA requirements, the charge for which is $65.

Where does the difference of $4 come from? Out of food, because the rent has to be paid.

(c) The maximum PAD allowance for eight persons is $70; a couple with six children, three boys and three girls, all over 6 years of age, would have to have five bedrooms under NCHA requirements, the charge for which is $76.

That is a $6 differential.

I regret that more detailed and complete data cannot be sent to you at this time.

Mr. President, I ask unanimous consent that the entire letter in continuity be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

GOVERNMENT OF THE DISTRICT OF COLUMBIA,
Washington, D. C., May 26, 1959.

Mr. CHARLES W. LEE,
Assistant Chief Clerk,
District Committee,
New Senate Office Building,
Washington, D.C.

DEAR MR. LEE: In response to your request for information concerning rental charges in excess of the public assistance rental allowance, we can only report the following illustrative situations taken from public housing.

(a) The maximum Public Assistance allowance for ten or more persons is $76; the National Capital Housing Authority charge for six bedrooms is $82.

(b) The maximum PAD allowance for four persons is $61; a couple with a boy and girl over 6 years of age must have three bedrooms under NCHA requirements, the charge for which is $65.

(c) The maximum PAD allowance for eight persons is $70; a couple with six children: three boys and three girls, all over 6 years of age, would have to have five bedrooms under NCHA requirements, the charge for which is $76.

I regret that more detailed and complete data cannot be sent to you at this time.

Very truly yours,
GERARD M. SHEA,
Director of Public Welfare.

FREE SCHOOL LUNCH NEEDED BY RECEIVING WELFARE GRANTS

Mr. MORSE. Mr. President, let us consider the category of families referred to by Mr. Shea as class C where there is a $6 differential between what can be allowed for rent out of public assistance and what actually has to be paid. Where does the rest of the money come from? Out of food.

Why do I make this argument? I make it because I think we must keep in mind the fact that even those families who receive public assistance do not, in fact, receive enough in order to give us the assurance which we ought to have that their children get enough food without a lunch program at school. The ugly facts brought before my subcommittee convince me that they simply do not; therefore, the Senate has a great obligation, it seems to me, to resolve any and all doubts in favor of those boys and girls.

Let the Senator from Oregon make his position perfectly clear: I would be perfectly willing to take the position that we should provide this lunch program even if I had serious question as to whether or not there are 7,000 needy boys and girls in the District of Columbia. But I do not have any serious question; I am satisfied that they exist.

Why would I still vote for the program? Because I do not think we could possibly be guilty of the waste of a single red cent if we put a lunch into the stomach of any boy or girl who came from a public assistance home. I could speak in detail concerning many phases of this program, but I shall not take the time to do so this afternoon, because I still have a rather lengthy argument to make on the question of fact. But I point out that even if it could be shown—and I am satisfied it cannot be shown—that the subsistence families get enough food with which to feed their children, if it is properly prepared, the testimony before my subcommittee is that those little boys and girls will still need the lunch program.

Why? We have to face up to this question of reality in the District of Columbia, because there are actually in the underprivileged class in the District, thousands of homes in which there is no one who is sufficiently well trained to prepare a nutritious meal for those little children.

Let Senators come to my subcommittee and hear the testimony of witnesses from the neighborhood houses; witnesses who spoke of the heroic, humanitarian work those leaders are doing in the District of Columbia by trying to teach mothers and elder sisters in many homes simply how to prepare food so that it will be edible, so that it will sustain life.

It is not nice to talk about these unpleasant, ugly facts; but also it is no answer to say that food is going into these homes. It is no answer to me to say that surplus food is going into many of these homes. Listen to the school authorities. Their reply is that that is not the full answer to the question, Should there be a free school lunch program for the underprivileged children?

Until trained personnel facilities are available, until a sufficient addition has been made to the District of Columbia Public Welfare budget, so that workers can be available in the homes of the District to teach the homemakers how to prepare a meal; how to use the food; how to see to it that a nutritious lunch is prepared for the school children; there will still be many children in the schools, as the colloquy I shall quote later in my speech will disclose, suffering from malnutrition.

CHILDREN ARE OUR GREATEST RESOURCE

Mr. President, this is no emotional appeal. It is not an appeal to the heart when I argue factually that when we are talking about these boys and girls, we are talking about the great problem of conserving the greatest wealth of America. The greatest wealth of this country is not to be found in its material resources; it is to be found in its boys and girls. As we build them, we build America; as we fail to build them, we tear down America. In the District of Columbia there are thousands of bodies in the form of precious little boys and girls who need adequate nutrition. One of the things which we can do to help in the battle against malnutrition is to place ourselves on record as favoring a free school lunch program, a program such as characterizes the school systems of many of the States.

WHAT IS DONE ELSEWHERE

To every Senator who comes from a State which has a free school lunch program, I pose the question: If such a program is good enough for your State, why not for the District of Columbia, too?

Mr. President, I ask unanimous consent to have printed at this point in the RECORD, in support of the point I have just made about the States which have school lunch programs, a table entitled "Comparison of Free or Reduced Price Meals With Total Meals Served, By States and Area, 1957 and 1958." That table bears out the point of my plea this afternoon. There is a common pattern in many of the States of the Union.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Comparison of free or reduced price meals with total meals served, by States and area, 1957–58

State	Total meals served	Free or reduced price meals	
		Number	Percent of total
	(1)	(2)	(3)
Northeast:			
Connecticut	17,755,368	608,692	3.4
Delaware	3,115,760	95,075	3.1
District of Columbia	10,668,191	131,024	1.2
Maine	10,106,488	1,136,257	11.2
Maryland	25,400,258	1,166,418	4.6
Massachusetts	39,053,357	3,350,005	8.6
New Hampshire	5,652,083	424,421	7.5
New Jersey	23,403,599	1,813,093	7.7
New York	124,264,410	34,040,120	27.4
Pennsylvania	78,027,069	4,272,606	5.5
Rhode Island	4,555,766	154,534	3.4
Vermont	3,685,770	427,547	11.6
West Virginia	26,607,444	3,806,223	14.3
Area	372,295,563	51,426,015	13.8
Southeast:			
Alabama	52,281,844	3,772,903	7.2
Florida	65,415,646	3,653,138	5.6
Georgia	71,466,046	5,884,927	8.2
Kentucky	48,954,380	6,302,093	12.9
Mississippi	33,936,153	3,255,218	9.6
North Carolina	86,371,362	5,956,762	6.9
Puerto Rico	41,407,242	41,316,305	99.8
South Carolina	46,179,228	4,681,901	10.1
Tennessee	56,502,900	6,840,508	12.1
Virginia	51,396,193	3,921,485	7.6
Virgin Islands	813,546	813,546	100.0
Area	554,724,540	86,398,786	15.6
Midwest:			
Illinois	69,531,506	3,846,810	5.5
Indiana	47,566,176	2,322,377	4.9
Iowa	38,682,951	1,426,264	3.7
Michigan	49,410,723	4,989,912	10.1
Minnesota	48,341,637	2,071,759	4.3
Missouri	51,780,238	2,751,025	5.3
Nebraska	12,170,638	778,327	6.4
North Dakota	8,459,575	1,086,321	12.8
Ohio	85,685,483	3,692,139	4.3
South Dakota	6,287,379	771,778	12.3
Wisconsin	33,535,684	2,606,992	7.8
Area	451,451,990	26,343,704	5.8
Southwest:			
Arkansas	31,209,159	2,913,575	9.3
Colorado	17,296,500	791,245	4.6
Kansas	23,074,507	407,340	1.8
Louisiana	88,159,296	13,084,732	14.8
New Mexico	9,404,143	1,024,042	10.9
Oklahoma	29,558,004	3,601,612	12.2
Texas	90,200,776	6,706,604	7.4
Area	288,902,385	28,529,150	9.9
Western:			
Alaska	1,227,401	123,824	10.1
Arizona	14,942,522	1,557,308	10.4
California	96,067,095	4,166,836	4.3
Guam	96,141	1,301	1.4
Hawaii	15,837,813	544,665	3.4
Idaho	8,944,635	400,875	4.5
Montana	7,040,631	428,538	6.1
Nevada	1,671,744	250,050	15.0
Oregon	20,334,226	651,536	3.2
Utah	13,756,484	597,890	4.3
Washington	31,540,819	1,359,419	4.3
Wyoming	3,736,209	101,131	2.7
Area	215,195,721	10,183,373	4.7
Total	1,882,570,199	202,881,028	10.8

Mr. HART. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I yield to the Senator from Michigan.

Mr. HART. I had intended to refer to that table at this point.

Mr. MORSE. I am sorry, I did not realize that.

Mr. HART. But I should add that on Friday last, when the Senator from Oregon gave notice that he would raise this question, I inquired if it were possible to obtain, in advance, his remarks. His office was kind enough to furnish them. I have read the address by the Senator from Oregon. It recites a situation of which none of us can be proud. If the same description were applied to Soviet Russia, I am sure we would roll it around on our tongues and would suggest that it was an implication of bankrupt leadership. But, instead, it is not about Russia; it is about a situation just around the corner from the Capitol Building.

I was concerned with ascertaining, before I spoke, what was going on in my home State. In connection with the table referred to by the Senator from Oregon, I should like to point out that in Michigan about 10 percent of the school meals are free or are provided at a reduced price.

Let me ask the Senator from Oregon whether my arithmetic is correct—namely, that the amount he is proposing in his amendment would provide approximately 10 percent of the District of Columbia school meals free of charge?

Mr. MORSE. That is correct.

Mr. HART. So, in supporting this amendment, at least I can be consistent with the practice in my home State.

Mr. MORSE. Certainly so; and if statistical consistency has any bearing on the merits of my amendment, I am glad to welcome the support of the Senator from Michigan.

Mr. HART. Beyond the statistical confirmation, I think I speak for many when I say that if the facts are as they have been outlined by the Senator from Oregon, all of us will welcome the opportunity to vote to increase the appropriation by the amount he has suggested.

I share with the Senator from Oregon the belief that the question is one of fact. Once the facts are established, I think scarcely any Member of Congress will argue against providing, in the very shadow of the Capitol, against malnutrition in the case of boys and girls who do not have an opportunity to speak here.

Mr. MORSE. I appreciate the statement the Senator from Michigan has made. As he has indicated, all I ask of my colleagues is that the facts be ascertained. If the case I have made can not be sustained by the facts and by the proof, then it will fall.

But I am sure that I am making an understatement when I say that there is a need for 7,000 lunches for school children in the District of Columbia. In fact, I am satisfied that the actual need is greater than that.

In addition, we must consider the children who come from homes which are not particularly well-to-do and who do not have any overabundance of economic support. Those boys and girls could also well profit from one nutritious meal a day.

Mr. PASTORE. Mr. President——

Mr. MORSE. I yield to the Senator from Rhode Island.

Mr. PASTORE. Mr. President, inasmuch as the distinguished Senator from Michigan has raised the point, I believe this is an appropriate place to clarify the atmosphere with regard to the problem of serving school lunches to the hungry children of this community.

Let me say to the distinguished Senator from Oregon that although the Commissioners of the District of Columbia do not admit that there are or would be 7,000 hungry children in this community, I do not think they are prepared to dispute that figure. I do not think they really know.

The budget for the District of Columbia, as it has been submitted here, calls for a pilot plan. I think the District

of Columbia Commissioners recognize the fact that something must be done; and I believe it will be to the everlasting credit of my distinguished colleague, the Senator from Oregon, when it is generally recognized that his crusade in this particular area brought about the awareness and the alertness which now are manifest in the attitude and the action of the Commissioners and in their determination to do something about feeding the hungry children in the schools of the District of Columbia.

Of course the problem is a rather perplexing and complicated one.

Certainly I am not going to oppose any plan to feed hungry people, especially the hungry children in this community.

When I was privileged to be the Governor of my State, I assumed full responsibility for taking care of the welfare of our children, even at the political responsibility of raising taxes in order to do so.

Here we are confronted with this perplexing situation.

The amendment calls for an increase of $700,000 in the Federal contribution to the District of Columbia—which proves, once again, the wisdom, and the prudence on the part of the distinguished Senator from Oregon, who is assuming responsibility at both ends; not only does he favor feeding the hungry children, but he also gives consideration to the cost involved, and he has taken the cost into account.

But in all our dealings in connection with this budget, we must be realistic.

Certainly the humanitarian presentation made by the Senator from Oregon is irrefutable; certainly it is undeniable. The number of hungry children in this community is great.

We conferred with the Commissioners; and they suggested that Congress appropriate $133,000 for a pilot program in 11 elementary schools, in order to try this program. I realize that if we feed the children in 11 schools, they do not constitute all the schoolchildren in the District of Columbia. But by the same token, if we feed the hungry children at 12 o'clock noon, who will feed them at breakfast time and at dinner time? Children get hungry three times a day. They should be fed at all three times.

This a big problem of public welfare, and I believe we must meet it head on.

I realize that the solution now proposed, as it is now set forth in the budget, is only a partial one; but I dare say that the full answer is not given even by the amendment which has been submitted by the Senator from Oregon, although it will take care of the feeding of more school children and it will provide for more school lunches.

For a long time we have been trying to increase the Federal Government's contribution to the District of Columbia budget. I know that in conference the conferees on the part of the Senate will have a difficult time in attempting to persuade the conference committee to vote to increase the $25 million allowance made by the House of Representatives. The Senate committee has voted for a Federal contribution of $27 million. The amendment of the Senator from Oregon would increase that amount to $27,700,000—with the additional $700,000 being for school lunches for 7,000 children, instead of 1,000 children.

Under these circumstances, Mr. President, I must—most reluctantly—raise a point of order against the amendment. I repeat that I do not do so because of a lack of regard and appreciation for the humanitarian purposes of my distinguished friend, the Senator from Oregon. I am on his side when it comes to feeding children. How could I be otherwise?

But here we have a practical problem. The Commissioners say this is a hard job and a new job, and they ask that they be given a chance to handle it. They said they would like to have an appropriation for a pilot program. Our committee recommends an appropriation of $133,000 to carry out their recommendation.

So I hope the Senator from Oregon will develop a fine record here, and I hope the Commissioners will study it, and I hope the Congress will study it. If next year, the Commissioners do not come forward with a more practical and a more realistic plan than the one they have suggested thus far, certainly I will be the first to stand shoulder to shoulder with the distinguished Senator from Oregon.

But after we make this fine record, what are we going to do? We must go into conference, and there we must debate the matter; and it is possible we shall return from the conference with the spectre of failure facing us.

The Commissioners have asked for an appropriation for a pilot plan, and they have requested a chance and an opportunity to find out where they are going and what social considerations must be provided for. They ask for an opportunity to ascertain the size of the problem, and whether it relates only to lunches, or whether it also relates to breakfasts and dinners.

So, Mr. President, let us ascertain the facts in a businesslike, but warmhearted way; and then let us proceed.

That is the only argument I shall make to the distinguished Senator from Oregon. I shall not say he is entirely wrong, because he is not. He has one of the greatest hearts in the Senate; and his proposal is made in all sincerity, and he has devoted a great deal of time and effort to it.

I am on the opposite side, as regards his amendment, because I have to be, inasmuch as I must recognize the practicalities which face us; and I must also recognize the fact that the Commissioners of the District of Columbia have suggested that a pilot plan be placed in operation, and are willing to proceed with it. Under those circumstances, I say we should try that plan.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. MORSE. May I answer the Senator from Rhode Island first, and then yield?

Mr. CLARK. Certainly.

Mr. MORSE. I want to say that, although I appreciate very much the kind references which the Senator from Rhode Island has made about me, I reciprocate them, in no spirit of flattery. Anything I say against the arguments of the Senator from Rhode Island are in no way motivated by any reflection on my part of the humanitarianism of the Senator from Rhode Island. I know he is just as anxious as I am to see to it that social justice is done in America, but I think the very tail end of the comment he just made shows the position in which the Senator from Rhode Island is placed as a member of the Appropriations Committee, because he said, in effect, that as a member of the Appropriations Committee, he has a certain responsibility in regard to the budget. We all know what the problems are with the House.

Mr. President, I appreciate the responsibilities of the Appropriations Committee; but one of the things I am trying to get across in my argument this afternoon is that it is the duty of the Senate as a whole to overrule the Appropriations Committee when that committee brings to the Senate a report which carries out its fiscal responsibilities all right, and does a good job of adding up and subtracting figures, but which, in the opinion of the Senate, does not add enough figures into the bill. So when I criticize the lack of a sufficient appropriation in the bill to provide for the school lunch program, I am not criticizing the Senator from Rhode Island so far as his social justice impulses are concerned; but I wish to make it clear to the Appropriations Committee that we have the reserved right and, in my judgment, the duty, to overrule the Appropriations Committee when we feel it has brought to the Senate a bill with either not enough in it or too much in it with reference to certain items.

THE FEDERAL PAYMENT

The Senator from Rhode Island has referred to the fact that we are all aware of the problems which confront the Appropriations Committee in conference. I thank him for the argument. We certainly are aware of it, Mr. President. We have been aware of that fact for some years here in the Senate of the United States. We have felt that the Federal contribution to the District of Columbia ought to be greater. We have had a bill brought to the Senate that goes beyond what is provided by the House. I am saying it does not go far enough beyond the amount provided by the House, and it certainly does not go far enough beyond the amount provided by the House on the particular item we are discussing.

If the Senate is to go to conference with the House, then we had better provide more in the bill than is now provided on this particular item. As the Senator from Rhode Island has pointed out, I would be very much surprised—and I would love to be surprised on this one—no matter what figure is provided in the bill by the Senate, when the bill goes to conference with the House on this particular item there will be considerable discussion in the conference committee as to the amount. That is the reason why, for practical legislative reasons, I

believe there should be provided a higher amount than that which has been included in the bill by the committee.

THE PILOT PROGRAM ARGUMENT

The last item I desire to discuss is the matter of the pilot program recommended by the District of Columbia Commissioners. I say again to the Commissioners, on the floor of the Senate, as I have said in committee, "Where have you been these long 2 years? Where have you been for 2 years? For 2 years you have had the record of the hearings, which lasted a long time, on the hungry children problem of the District of Columbia."

I was assisted in those hearings by the great Senator from Pennsylvania [Mr. CLARK], who is now present on the floor. The Senator from Pennsylvania, the Senator from Maryland [Mr. BEALL], the Senator from Oregon, and other members of the committee trudged into hovel after hovel, only to bow our heads almost in shame to think that, as U.S. Senators, we would let those conditions develop in the Capital of America.

Mr. President, I have no intention in this debate of letting the District of Columbia Commissioners off the hook, so to speak, on their alibi argument of this time that they want to try out a plan to feed 1,000 children for 1 year. They have known of this problem for 2 years. They know I feel they have been derelict in their duty as Commissioners in failing to take care of these hungry boys and girls in the District of Columbia.

Mr. President, I do not like to have to speak in this manner about the District of Columbia Commissioners, because on so many other matters I find myself in agreement with them; but on this matter I charge in the Senate, as I have in committee, that the District of Columbia Commissioners have not fulfilled their duty with respect to hungry boys and girls in the District of Columbia.

Pilot program operation? We have had a pilot program in operation in the District of Columbia for 700 boys and girls. Is adding 300 more boys and girls to the operation going to give us any more facts we need, Mr. President? Such a program is in effect for 700 boys and girls, and who financed it? The humanitarian hearts of the people of the District of Columbia, who made private contributions.

Mr. President, I ask those interested to read the report of the hearings. We have the results of the pilot operation, and the District of Columbia Commissioners know the results.

I say frankly, on the floor of the Senate this afternoon, there is not a single fact the District of Columbia Commissioners need to ascertain to establish a program to feed 7,000 boys and girls—not one. They merely need to do their duty. The sad fact is the record of the District of Columbia Commissioners amounts to economizing on the stomachs of 7,000, at a minimum, boys and girls in the District of Columbia. I do not intend to support them in such action.

Mr. President, I know what our Appropriations Committee is up against, but the responsibility is that of all Senators whether or not they are members of the Appropriations Committee. It is the responsibility of the Senate as a whole. It is the responsibility of the Senate as a whole to decide, as we take out the paring knife this afternoon, whether a school lunch program which the school administrators want, which the teachers want, a school lunch program which the teachers tell us is needed today for hungry children, is to be adopted.

If some paring is to be done, let us do it out of other funds such as those provided in the budget for a road through the Glover-Archbold Park, for example. That is a project which can be delayed to another fiscal year. Let me make very clear that I am in favor of building the road, if we can supply the money and work out the engineering problems. But I am not for building that highway or any highway at the expense of the bellies of 7,000 boys and girls in the District of Columbia. I want you to keep that in mind, Mr. President, as we consider this problem.

We have the facts to support the program. When one gets right down to the question, when all is said and done, the question is, Shall we provide the school authorities with the money they need to feed these hungry boys and girls?

REBUTTAL TO OTHER ARGUMENTS

The argument is made by the able Senator from Rhode Island, "What about breakfast and dinner?" What about breakfast and dinner? All I can say, Mr. President, is that the expert testimony given before my committee showed that if we could give these children one nutritious meal a day—just one nutritious meal a day—we would do much toward keeping these boys and girls healthy, we would do much to improve their school work, we would do much to decrease juvenile delinquency on their part, we would do much to reduce absenteeism in the classroom, and we would do much to make them better junior citizens.

Mr. President, I wish we could provide more for these children, but I cannot accept an argument that because I cannot get more for them I should accept less. I cannot accept the argument against the testimony of expert witnesses before my committee, and I am going to read that testimony before I finish this afternoon. I am going to speak at length this afternoon on this problem, because so far as I am concerned, I would betray my trust to my committee, to the District of Columbia, and to the country, if I did not make a record which needs to be made this afternoon.

Mr. President, one cannot listen to these expert witnesses whom I had before my committee and not feel as deeply moved as I am about this matter. Although I may speak with great emphasis and although I may speak somewhat out of my heart, as the Senator from Rhode Island attributed to me in his gracious comment, I am also speaking from what I know, because I have lived with this problem intellectually in the District of Columbia for the past several years. Having lived with the problem, I know the facts.

I do not intend to let three District of Columbia Commissioners come up to the Congress and recommend, without opposition, an inadequate program, which is clothed under this very plausible slogan argument of "Let us give it a trial. Let us try only 1,000" when the Commissioners know there are 7,000 children, at least, who need the help. The Commissioners know that facilities and help are available in order to feed these children, if they will put up the hard, cold cash which we can provide to buy the food.

My colleagues, you should listen to the teachers.

Mr. President, I ask unanimous consent that correspondence from the principal of the Scott Montgomery-Morse Schools, found in my subcommittee hearing record on pages 181–183, be printed in the RECORD at this point.

There being no objection, the correspondence was ordered to be printed in the RECORD, as follows:

SUPERINTENDENT OF SCHOOLS,
Washington, D.C., March 12, 1959.

Senator WAYNE MORSE,
U.S. Senate, Washington, D.C.

DEAR SENATOR MORSE: I am presuming to forward a memorandum to you from Mr. Leroy C. Dillard, principal of the Scott Montgomery-Morse Schools, on the subject of the school lunch program as it is being conducted there under temporary arrangements.

This is a report from the firing line. It shows how severe the need is among many of the children and indicates in a concrete way some of the practical results of this operation.

It strongly confirms the position we are taking that the present method of handling the lunch program is workable and in the public interest and that these resources ought to be available to all needy children.

Very sincerely yours,

CARL F. HANSEN,
Superintendent of Schools.

PUBLIC SCHOOLS OF THE
DISTRICT OF COLUMBIA,
Washington, D.C., March 9, 1959.

Memorandum to: Dr. Carl Hansen, Superintendent of Schools.
From: Leroy C. Dillard, principal, Scott Montgomery-Morse Schools.
Re lunch program, Scott Montgomery-Morse Schools.

I respectfully submit the following information concerning the free lunch program at the Scott Montgomery-Morse Schools.

Twenty-seven of the Scott Montgomery School children and 25 of the Morse School children receive hot lunches at Shaw Junior High School. The children participating in this program were selected through a careful screening of parental responses to a questionnaire. (Sample questionnaire accompanies this report.)

The children who benefit from this program were selected from families of the following categories:

Description of family circumstances	*Number of children*
1. Families receiving public assistance and surplus food	17
2. Families with low income and receiving surplus food	12
3. Families having exceedingly low incomes	16
4. Families in distress because of ravages of fire	6
5. Inadequate family income due to physical disability of 1 or both parents	2

PROGRAM ADMINISTRATION

The children are escorted to the cafeteria and supervised by two teachers each day.

It has been found that supplying the required number of children each day has presented a problem. Approximately 7 or 8 pupils are absent each day; this is equivalent to 15 percent of the 52 children authorized to receive lunches. The factors causing the absences are lack of shoes, lack of proper clothing, personal illness, and problems within the family. We have found that the children are very anxious to come to school each day and have shown gains in weight and in their interest in class activities.

It was noted that one family was completely without income. The mother was pregnant and the father, a former construction worker, was unable to find a job. The family had been denied public assistance by the welfare department. The father had been receiving $22 a week from the District of Columbia Unemployment Compensation Board. In his efforts to secure a job, the father was offered 2 days of work which he accepted. Because of this short period of employment, the unemployment board discontinued further support for the family. This left the family without any means of support. Through the efforts of this office, a job as a parking-lot attendant was secured for the father.

RESPONSES NOTED BY TEACHERS

1. Delores is a very nervous child and needs the nourishment of a balanced meal badly. She cries if one looks at her hard and often falls out of her seat for no apparent reason. Though still disorganized, Delores is improving. She cries less often and shows promise of getting herself together if the lunch program continues.

2. Frail Patricia, who is also in great need of food, is reluctant. She has to be reassured every day that she is needed very much to help keep the smaller children in line—and she is needed. This expression of the need for her makes her feel that she is earning her lunch.

3. Franklin is very excited about the program. He tries very hard to be the life of the party.

4. Samuel, a pupil in an atypical class, is no longer the very withdrawn and passive individual who lived in a world of phantasy. Throughout his school career of 3½ years, Samuel never spoke to any of the children in his class. He was contented to sit and observe the activities surrounding him. Since his inclusion in the lunch program, there has been a gradual awakening in Samuel. He has become more alert to his environment and has on occasion participated in some of the activities of his class.

5. To most of us at Morse, both teachers and pupils, one case is what we call "The Metamorphosis of Cora." Cora has long been noted for her disagreeable disposition. She was rude, sullen, morose. This was, no doubt, her method of expressing her many discomforts and humiliations.

The child of a broken family of several children, Cora has been neglected. To add to her troubles, her mother's moral standards are not such as to inspire good behavior in the child or to create in her any respect for her maternal parent. In fact, the mother's well-known escapades are a great source of embarrassment to the girl.

Since the lunch program has been going on, however, the whole school has noted a remarkable change in Cora. She is much more agreeable, smiles often, showing a pretty dimple which few knew she had. She also takes more interest in her personal appearance and comes to school neat and clean instead of bedraggled and dirty as she once did.

The need for help is great among our children. No one can concentrate on work of any kind with an empty stomach reminding him constantly of the need for food. The free-lunch program, as it becomes widespread and perfected, will result in improved behavior and in better quality of school work.

LEROY C. DILLARD,
Principal, Scott Montgomery-Morse Schools.

SCHOOL _____,
January 14, 1959.

DEAR PARENT: As you have noticed in the newspaper recently, some pupils in our area are to receive free lunches.

In that connection we are sending you this questionnaire. If you are not interested in having your child receive a free lunch do not return this form.

If you are interested, please complete all items and return to me.

All replies will be treated as confidential.

Give names of all persons in household. List head of household first.

Put a checkmark before names of children attending above school.

Last name	*First name*	*Middle initial*	*Maiden name (if applicable)*	*Age*

Family address_____ Phone number_____

1. Is family receiving public assistance from Welfare Department? Yes_____. No_____.

2. Is family receiving surplus foods from Welfare Department? Yes_____. No_____.

3. Are any members of the household receiving unemployment compensation? Yes_____. No_____.

4. Are any members of the household receiving social security? Yes_____. No_____.

Income of family unit

Salary per month from gainful employment_____ $_____
Amount received per month from public assistance_____ $_____
Amount received per month from unemployment compensation_____ $_____
Amount received per month from social security_____ $_____
Amount received per month from other sources_____ $_____
Total family income per month_____ $_____

Date_____

_____
(Signature of head of household)

_____
(Principal)

Mr. MORSE. Sometimes I really wonder if we are as truly appreciative as we ought to be of the great personal sacrifices made by the members of the teaching profession in all of our schools, but particularly those in the grade schools of America, on behalf of American parenthood, the great services they render to the families of America, to the parents of America, to the children of America, and to America itself. I cannot sit in the committee—I simply cannot, Mr. President—and listen to the testimony, unanswered in the record of the hearings, from the school officials of this District, and brush it aside with a proposal by the District Commissioners, "Well, let us try it for 1,000 children for a year."

We have the facts. The problem is on our doorstep. The time to act is now. If we do not want to add the requested amount to this budget, without taking something else out, I have a lot of suggestions as to what to take out. We can start with the Archbold highway, for one. There are other items in the budget, too, which can be taken out. If I have to make the choice, I will make the choice and give the food to the boys and girls.

PERSONAL EXPERIENCE WITH SCHOOL LUNCH PROGRAM

I also have had some experience with a school-lunch program. One of the most interesting bits of education in public service that has been mine was to serve for 2 years as the president of a parent-teacher association when members of my own family were small. One cannot face up to the effects of a school lunch program on the home, or on the school, behavior-wise and education-wise, without knowing it is at rock-bottom sound.

Senators will find in the record of the hearings one research study after another in this regard. We will correct the RECORD if my recollection of the number is incorrect, but I think there were some 27 to 29 research studies considered by my committee, on the relationship and effects of a school lunch program on improved ability of students to learn, on attendance, on school behavior, on out-of-school delinquencies, and so on. The studies show a dramatic situation.

Mr. President, I ask unanimous consent that the Library of Congress memorandums on these studies be printed in the RECORD at this point. They may be found on pages 167 through 176 of the hearing record of my subcommittee.

There being no objection, the memorandums were ordered to be printed in the RECORD, as follows:

THE LIBRARY OF CONGRESS,
LEGISLATIVE REFERENCE SERVICE,
Washington, D.C.

NUTRITION AND SCHOOL WORK—SELECTED EXCERPTS

Breckenridge, Marian E., and E. Lee Vincent, "Child Development—Physical and Psychologic Growth During the School Years," Third edition. Philadelphia, W. B. Saunders Co., 1955, pages 26, 123, 124–25.

"That physical condition, short of brain or nerve damage, has little to do with native intelligence is probably true. Promoting physical growth will probably not increase inherent intellectual capacity. In this sense they are not interrelated. However, the manner in which the native intelligence functions, being dependent upon attentiveness, concentration, self-confidence, and aggressive attack upon problems, is unquestionably related to physical well-being.

* * * * *

"The behavior in school of children in Trier, Germany, during World War I is another example. After 3 years of undernutrition the children showed a decrease in physical and nervous energy and an increase in nervous disorders. The teachers reported that the children grew tired more easily than in the prewar days, were unable to concentrate, slower in comprehension, poorer in memory, inattentive, and restless. Discipline was hard to maintain. One teacher reported that she could keep the attention of her class for only 5 minutes in contrast to 30 minutes formerly. The standard of schoolwork was lowered. The number of children who failed to pass about doubled; the number of children doing superior work was not compatible with their mental capacity since the children apparently had not lost any of their mental capacity as measured by the usual mental tests. They lacked the staying qualities found in a well-nourished child.

* * * * *

"It has been shown that undernutrition or malnutrition can affect mental activities or the way an individual uses his mental abilities. However, whether nutrition affects the mental capacity of children is a moot question. Mental capacity seems to withstand deprivations which will affect mental activity. The children in Trier, Germany, in spite of their poor school performance had still the same mental capacity as measured by tests. In the Minnesota study,[1] according to both clinical judgment and quantitative tests the men's mental capacity did not change appreciably during either semistarvation or rehabilitation. The subjective estimates of loss of intellectual ability may be attributed to physical disability and emotional factors. Whether similar resistance exists at earlier ages when the nervous system is immature has yet to be demonstrated."

Bryan, Mary deGarmo, "Juvenile Malnutrition Needs Headlines, Too." Nation's Schools, volume 57, June 1956: 94.

"Many an educator who is acquainted with the eating habits of today's teenagers has a plaguing suspicion that all is not well. He figures that, while juvenile delinquency captures the headlines, little noticed juvenile malnutrition really ought to share some of the notoriety and get its share of the public's attention.

"Knowing something about the food needs of growing boys and girls, the school head fears there is trouble ahead, if not already here, for the pretty sophomore who skips breakfast regularly in the interest of a Liz Taylor waistline and for her boy friend who makes a meal consistently of a couple of hot dogs and a fizzy drink. But the school lunch manager was handicapped by lack of scientific data to confirm his beliefs.

"Now comes material which substantiates the surmises of many school men and women in a most impressive way. It is provided in a study conducted by nutrition authorities of Pennsylvania and Texas. Since 1935, under direction of Pauline Beery Mack, the Ellen H. Richards Institute of Pennsylvania State University has been making mass studies in nutrition. To this great body of unpublished statistics were added the results of special research into the eating habits of 2,536 boys and girls in all kinds of homes, together with 573 children in orphanages.

"Finally, all of this material was edited and prepared for publication by Dr. Mack, now of Texas State College for Women, and Anna de Planter Bowes, of the Pennsylvania State Department of Health. The bulletin was recently published by the Nelda Childers Stark Laboratory, Texas State College, with a grant from Lever Bros. Co."

Mack, Pauline B. "A Nine-Year Study of the School Lunch." Journal of Home Economics, volume 30, February 1947: 73.

"Because the physical well-being which results from good nutrition is a requisite for realizing one's full capacities for accomplishment and happiness, the school lunch can constitute a great force for democracy by providing the means for every child to develop his potentialities, both physically and intellectually."

Maxwell, Elsie, "The Broader Value of the School Lunch Program," American School Board Journal, volume 122, March 1951: 24.

"Federal bureaus, land grant and other colleges and universities, research foundations, and agencies interested in social welfare were making studies which showed the effect of quality feeding upon individuals. Old findings were verified and new approaches ventured which showed that well-balanced diets of high nutritive content yielded stronger, larger bodies; healthful functioning of the digestive, respiratory, and circulatory systems; decreases of the incidence and severity of infectious diseases; reduction of illness which followed in the path of deficiency diseases; improved dental conditions and lessened frequency of dental caries; a stabilizing effect on the nervous systems and emotional states of children. All these improved physical conditions were paralleled by reduced behavior problems, increased ability to give attention to classroom procedure, and better school attendance."

Mitchell, Helen S., "School Lunch Investments Pay Dividends," National Parent-Teacher, volume 36, May 1942: 10.

"With 6 million youngsters getting a wholesome and nutritious lunch at school, what evidence have we that it has made a difference? Ask any teacher who has witnessed the change in her youngsters. True, you may not obtain scientific data that can be analyzed by statistical methods; teachers in the country schools where lunches have been introduced for the first time do not have access to research methods and facilities. But they see results even if they can't measure them. In the few cases in which the achievement has been measured the results speak for themselves.

"One country schoolteacher was loath to undertake even a simple hot lunch for her 20-odd pupils. There were no facilities, and she was doubtful of the necessity. The struggling PTA helped remodel the cloakroom to provide space for an oil stove, which someone contributed, and the children brought food from home to supplement that provided by the surplus commodities program. After some months this conservative and rather lethargic country schoolteacher had taken a new lease on life herself, and she reported all her pupils as doing better work, behaving better, and learning faster. She was convinced that the school lunch had made a difference.

"A school in the Southwest, attended by Indian and Mexican children, reports enthusiastically what the school lunch has done for them. The teacher says the playground is like a different place—more games, less fighting, and no more need of policing the playground at recess * * *.

* * * * *

"One city in Iowa is able to supply more concrete evidence: 20 schools kept accurate data on attendance for 1939. In 1940, 10 of the schools introduced the school lunch and 10 did not. Attendance improved by 13 percent over the previous year in the schools that had the lunch; in the other 10 there was a change of only 1 percent."

Potgieter, Martha, and Viola Everitt. "A Study of Children's Eating Habits." Journal of Home Economics, volume 42, May 1950, page 366:

"A 1-week study involving 385 children in grades 4 through 8 in two (Connecticut) elementary schools showed all but one of the diets to be medium or poor in nutritional adequacy. The greatest degree of deficiency (in descending order) was found to be in: whole grain or enriched cereal products, green and yellow vegetables, foods rich in vitamin C, and milk.

"The school records of the physical, scholastic, and emotional ratings of the children who were getting poor diets, as compared with the ratings of those in the better diet group, showed the latter to be slightly better in physical status, in dental status, in days absent because of illness, and in educational ratings, and definitely better in social adjustment."

Salisbury, Morse, "Food for Freedom," School Executive, volume 61, March 1942, pages 16–17:

"There is * * * an extremely close relationship between nutrition and learning ability; the intelligence and emotional nature of a child are not fixed hereditary factors. Like the adult, the child lives in an external environment and surrounds an internal environment.

"The chemistry of the bodily fluids which bathe the tissues constantly, and which also perfuse the brain and determine its functional efficiency, is not rigidly fixed. Minor variations in the chemistry of these fluids, brought about by mineral, vitamin, or other nutritional deficiencies, can curtail the natural development of a child, work permanent injury upon his higher nerve centers, and change his disposition and intelligence fundamentally.

"The soundest minds do, as a general rule, tend to exist in the soundest bodies. It has long been observed that undernourished children are inattentive, lack nervous and physical energy, comprehend their school tasks slowly and poorly, have a poor memory for their schoolwork, and exhibit general nervous restlessness. Certain studies have been made which correlate low nutritional status with a high rate of retardation, absences, and low average marks in school studies.

* * * * *

"Many children whose parents could not persuade them to eat at home consume food readily and naturally in groups at school lunches. Meanwhile the emotional relationship between teacher and pupil is improved, the child's learning ability increases, absences are fewer, and better scholastic records are made in all grades.

Many teachers point with pride to better attendance, upon which the size of the school budget frequently depends. But it is also true that the per capita expense or education decreases when children are not retarded in their grades because malnutrition cuts their learning power. Chronic cases of latent malnutrition, destined later to result in prolonged ill health or possibly complete invalidism, are prevented or cleared up. In short, the child becomes a social asset rather than a social and economic liability.

"This amounts to effective conservation of human resources. It is not intended that programs of such value be discontinued, whether we are at war or peace.

* * * * *

"We mean to see to it that every American citizen is provided, as is his right, with a scientifically adequate basic diet."

Studebaker, John W. (former U.S. Commissioner of Education), "Strong Bodies and Alert Minds," Journal of Health and Physical Education, volume 13, February 1942: 86.

"Good food habits are absolutely essential to the strong bodies and alert minds we need for defense. But good food habits cannot be built without good food. That is why the actual provision of hot lunches is so important. We have learned from experience that when children are fed properly the quality of their work improves, they respond more rapidly to ideas, and they play more vigorously and happily. Frequently, Jack is a dull boy because he hasn't had enough or the right kinds of food.

* * * * *

"A long time ago the Romans had a slogan, 'a sound mind in a sound body.' No doubt the disintegration of Rome as a nation was in part due to the decline of its physical vigor. Ours is a young nation. We have done much. We can do more. We must do more, now that we are faced with a conqueror as ruthless as any in all history. We can meet and overcome this threat only with strong bodies and alert minds. Health has long been a cardinal principle of education. Now is the time for schools to put that principle into action on a broader front than ever before."

[1] Keys, A. J. Brozek, A. Henschel, O. Mickelsen, and H. L. Taylor: The Biology of Human Starvation. Vols. I and II. Minneapolis; the University of Minnesota Press, 1950.

Todhunter, Elizabeth Neige, "Everyday Nutrition for School Children," University of Alabama, Extension Division, 1949, pages 42–43:

"Dr. Ruth Harrell of Columbia University studied the learning ability of a group of children in Virginia. The children all lived in an orphanage where the diet was not adequate. The children were divided in two groups, matched as evenly as possible for age, height, weight, family background, and IQ. Group A received a nutritional supplement in tablet form each day. Group B were also given a tablet each day but it contained no nutritive value. None of the children knew which ones were receiving the added nutrient material. In a series of objective tests, in arithmetic, word matching, writing, etc., carried out over a period of weeks, group A in every instance had the higher average score. In this carefully controlled experiment the children with the dietary supplement showed greater learning ability as attested by their scores on all tests.

"Diet does make a difference.

"Diet makes a difference in both old and young but more particularly in the growing child."

U.S. Congress, House, Committee on Agriculture, "School Lunch Program." Report to accompanying H.R. 3370. Washington, U.S. Government Printing Office, 1945. (79th Cong., 1st sess. House. Rept. No. 684, pp. 2, 9):

"Statistical surveys, including physical and mental tests conducted under controlled conditions, have shown, as indicated in appendix A, measurable benefit to the children when an adequate lunch is provided at school, not only in their physical development but in their educational progress. This improvement takes place on all income levels inasmuch as an adequate lunch at school or adequate nutrition is not necessarily assured by the higher income of the parents or the rise in the national income as a whole. The increase of working mothers, consolidation of schools, greater travel time to schools, and rising scale of food costs, together with fixed incomes for many large groups, make the school-lunch program, in which those who can pay are permitted to pay and those who cannot pay need not pay, the appropriate answer. It should be remembered that a child may be malnourished, yet not hungry.

* * * * *

EXHIBIT A.—*War Food Administration, Commodity Credit Corporation (OS)*

EFFECT OF SCHOOL LUNCH UPON SCHOLASTIC STATUS, CAMDEN, MO.

	Scholastic grade points [1]			
	Without lunch, 1938–39	Without lunch, 1939–40	With lunch, 1939–40	Percent change
Group I (52 children)	1,056	1,055	--------	−0.09
Group II (75 children)	1,614	--------	1,763	9.23

EFFECT OF SCHOOL LUNCH UPON ATTENDANCE, CAMDEN, MO.

	Percent daily attendance of enrollment			Gain in percent attendance
	Without lunch, 1938–39	Without lunch, 1939–40	With lunch, 1939–40	
Group I (10 schools)	69.18	70.54	--------	1.36
Group II (10 schools)	79.99	--------	84.34	13.35

[1] A system of grade points was used in determining scholarship. An excellent mark was given 4 points; superior, 3; average, 2; poor, 1; failure, 0.

EFFECT OF SCHOOL LUNCH UPON WEIGHT GAIN, CRESTLINE, OHIO

Grade	Average gain in pounds		Percent increase in weight gain
	Without lunch, 1942–43	With lunch, 1943–44	
I	5.15	6.57	27.6
II	2.45	4.96	102.4
III	1.80	2.43	35.0
IV	3.00	6.10	103.3
V	3.80	7.06	85.8

Wisely, Katherine C., "They Eat To Live and Learn," School Executive, volume 68, April 1949: 64.

"The school lunch was begun in an endeavor to feed needy children who were unable to concentrate on learning because they were hungry. From that crude beginning, it has grown into an educational program which is supplying the nutrition needs of all schoolchildren and, in addition, teaching them good habits of health, sanitation, and social behavior.

"In many communities at the turn of the century, funds were being raised by school administrators and teachers to provide lunches for undernourished and languid pupils. Soup schools were operated for children who could not even afford to bring lunches from home.

"The depression in the early thirties gave impetus to a national school lunch program. While city workers were losing their jobs, farmers were losing their markets; consequently agricultural commodities were being dumped. At this time the Federal Government stepped in, bought surplus foods from farmers, and made them available free to schools."

ANNE M. FINNEGAN,
HELEN A. MILLER,
Education and Public Welfare Division.
MARCH 13, 1959.

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TITLES OF MASTER'S THESES RELATED TO NUTRITION AND SCHOOLWORK, 1930–49—A SELECTED LIST

Gehring, Clara, "A Review of the Literature Pertaining to the Modification of the Intelligence Quotient Through Environmental Changes, Particularly Through Changes in Nutritional Status." Woman's College of the University of North Carolina, 1943.

Hoover, Helene Perry, "A Study of the Relationship of Certain Social and Emotional Factors and Academic Achievement in Nutrition of High School Girls." Louisiana State University, 1949.

La Vanway, Priscilla, "Relation of Nutritional Status to Motility, Intellectual Performance, and Personality of a Group of Iowa Schoolchildren." Iowa State College, 1949.

Lippincott, Elizabeth Anne, "A Study To Determine if There Is Any Relation Between the Breakfast Habits of Childen 9 to 12 and the Results of Personality and Mental Achievement Tests." Drexel Institute of Technology, 1949.

(Source: U.S. Bureau of Human Nutrition and Home Economics. Child development; summary of titles of theses completed in colleges and universities of the United States, 1930 to 1949. Washington, The Bureau, 1950.)

ANNE M. FINNEGAN,
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MARCH 13, 1959.

THE LIBRARY OF CONGRESS,
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Washington, D.C.

NUTRITION AND SCHOOLWORK—SELECTED EXCERPTS, 1941–51

Atkin, Millicent, "Some Facts About Nutrition," Nation's Schools, volume 28, July 1941: 66.

"No phase of the problem of human feeding deserves more critical application of our knowledge of nutrition than does the school lunch. Throughout the period of growth the quality of the diet is of the utmost importance to skeletal development, tooth structure, the integrity of soft tissues, and, indeed, to the mental progress of the child."

Behr, Marian C. "Hungry Kids Are Hard To Teach," School Executive, volume 68, July 1949: 42.

"Thousands of teachers arrive at their desks every schoolday prepared to teach. Nearly 30 times as many children take their seats each day to learn something that will fit them for a useful life. And yet a large percentage of these children do not learn their lessons because they are hungry.

"Colds, nervousness, irritability, fatigue, and listlessness are often entirely caused by a chronic case of hasty and poor breakfasts, a snack lunch, and numerous fountain purchases which completely eliminate the child's desire for anything as simple and nutritious as a raw carrot, an apple, or a serving of beef stew.

"No matter how well trained or sincere the teacher is, a hungry child is hard to teach. Lunch programs are necessary. They are important to the child and to the administration. They are necessary for the child from the so-called better home as well as the child from the impoverished home.

"Achievement tests taken before and after a lunch program was provided in a school, show great improvements when lunches have become a regular routine. When a county gives its schools achievement tests, the ones serving a balanced lunch to most of their children invariably have the highest scores. The teachers in these schools find their work easier because they have healthy and alert youngsters to teach.

"* * * The health of our citizenry is in a large extent dependent upon what we eat. There can be no more important part of education than teaching our children to eat well."

Evans, Llewellyn, "Let's Build Future Citizens on a Foundation of Good Food," Nation's Schools, volume 30, July 1942: 48.

"We have seen our educational system expand from the three R's to a complex social setup, providing for the mental, physical, and emotional needs of the whole child. Each new gain has been won against bitter opposition. Many a one-time, so-called fad is now an integral part of our educational program.

* * * * *

"In the matter of health, however, the end is not yet in sight. The evolution must continue for there is still unconquered the enemy to nerves and strength—undernourishment.

"We know that too large a proportion of schoolchildren is not properly nourished. Experience of hundreds of classroom teachers has shown that by conservative estimates 66⅔ percent of our pupils belong to the malnutrition group. We know, too, that the scholastic standing of these pupils is raised by improvement in health. It is time, therefore, to look to the food habits of these children."

Leichsenring, Jane M., "To Make America Strong," Minnesota Journal of Education, volume 23, April 1943: 306.

"Teachers usually report that improved nutrition results in less restlessness, fewer disciplinary problem, less inattentiveness, decreased absence due to illness, and a reduced tendency to late afternoon fatigue.

In the St. Paul schools, where nutrition clinics for undernourished children have been a part of the program for many years, the teachers observed greater classroom achievement in 43 percent or more of the children studied, improved scholarship in 53 percent, attentiveness in 56 percent, and posture in 66 percent of the group.

"The value of the school lunch was ably summarized by Batjer who stated:

" 'There is no better way of strengthening our defenses for the years to come than by caring for the physical welfare of children today. Sturdy, healthy children are essential to the Nation's survival.'

"What light has all this effort thrown on the problem of getting the right food on Tom and Mary's cafeteria trays, in their snack servings, and on their plates at the home table?

"The study proves conclusively that a large proportion of teenagers, from well-to-do homes as well as from poor families, are either not getting enough to eat or are not eating enough of the right things. It indicates that this is definitely a teenage problem, for these older boys and girls are found to have poorer food habits than their younger brothers and sisters.

"Also the study shows that a distinct relationship exists between this lack of proper food and many teenage problems, such as laziness—that too-tired-to-do-it feeling—nervousness indicated by nail biting or irritability, and poor appearance—dull hair, blemished complexion—and a resultant sense of inferiority. Even more striking are the harmful effects found on bodily structure—on skeletal growth, tooth soundness, body tissues and functions, such as heart and lung action.

"Before-and-after tests made as part of the Pennsylvania study revealed many of the conditions changed for the better when nutritional habits were improved."

Carmichael, Leonard, "Manual of Child Psychology," second edition. New York, John Wiley & Sons, Inc., 1954, pages 662–63.

"Nutrition: It is to be expected that small positive coefficients will be obtained when measures of nutritional status are correlated with IQ. These correlations arise from the same causes that determine a positive relationship between socioeconomic status and IQ and tend to disappear if nutritional variations are examined within a single social group. An exception to the last statement may be found in cases close to a subsistence margin. Thus, among 293 children from slum areas, O'Hanlon (1940) found a significant correlation ($.18 \pm .04$) between nutritional condition and IQ.

"A more satisfactory approach to this problem is through an experimental procedure, as illustrated in the following two examples. Twenty-five children selected by Smith and Field (1926) as markedly underweight were given school lunches over a 6-month period, together with health lessons and various motivational devices designed to bring about physical improvement. As compared with normal controls, striking gains were shown in weight but mental development appeared to be unaffected. A similar experiment was conducted by Seymour and Witaker (1938) in a group of 25 underprivileged children (6½ years old) matched with a control from a similar social selection. The experimental group was given daily breakfasts in school, adequate as to variety and amount, whereas the control group received their usual inadequate breakfast of bread and tea at home. Differences between the two groups began to appear on standardized tests (such as cancellation) by the 10th day, but the superiority of the experimental group diminished after the breakfasts were discontinued. Neither of these two experiments points to any actual change in mental growth as a result of nutritional gains.

"More positive results have been reported by Poull (1938) and by Kugelmass et al. (1944) in a comparison of IQ's of poorly nourished children before and after nutritional therapy. Marked IQ gains were noted for both mental defectives and normals, the amount of gain being greater for the younger children. The writers infer that prolonged malnutrition may involve irreversible effects upon mental development but that in early childhood mental retardation (of nutritional origin) is more readily overcome. If future experiments, coupled with longitudinal studies, confirm these findings, the implications for child development in economically backward areas may be of great importance. We still lack information, however, about the degree of malnutrition which is critical and the specific factors responsible."

Fozzy, Paula, "Nutrition Fair Improves Diets, Aids Parent-School Relations.," Nation's schools, volume 61, March 1958, pages 80, 84.

"A dramatized nutrition program in one of Chicago's elementary schools has produced a market gain in good parent-school relations and a consciousness in the pupils of good nutritional habits. The program, sponsored by the Chicago Nutrition Association, was introduced by Marie V. O'Brien, principal of Chicago Kosciuszko Elementary School.

* * * * *

"The nutrition program first was started in February of 1957, when Dr. O'Brien noticed that students who were frequent disciplinary problems often had eaten no breakfast. At the suggestion of the Chicago Nutrition Association, she made a survey of the breakfast eating habits of pupils in grades 4 to 8.

* * * * *

"Dr. O'Brien gives an encouraging message to administrators who would like to try a nutrition program in their own schools: 'Our program has not been so astonishingly successful that other administrators should be afraid to try it. The improvement in the children's eating habits, the resulting better studying, and the parental interest generated in the school merit the application of such a program wherever it seems to be needed.' "

Garber, Martin D., director, Food Distribution Division, Agricultural Marketing Service, U.S. Department of Agriculture, "School Lunch Teamwork," Parents magazine, volume 33, October 1958, page 74:

"I can't cite statistics which show how much this program has meant to all the children who have eaten these lunches and are now eating them. But teachers tell us repeatedly how much the availability of good lunches has meant to the health of their pupils. They tell us the children come to school more regularly and are more attentive while they are there. They say good health pays a bonus in their learning, too, as anyone who has ever tried to study on an empty stomach can understand."

Hill, Austin E., director of health, Houston Public Schools, Houston, Tex., "Nutritional Needs of Schoolchildren," Journal of School Health, volume 25, May 1955, pages 141, 145.

"The malnourished schoolchild looks fatigued, anemic, has a poor posture, has small flabby muscles, a flat chest, and protruding abdomen; he feels weak, tires easily, lacks endurance, cannot concentrate, appears lazy, and his fingernails, mouth, and eyelids are pale. Usually he has a mouthful of decayed teeth. He is unable and unwilling to perform work duties at a fast rate for long periods. He usually has no drive and no intiative. Productivity is lessened. There is lack of interest, increased irritability, and the malnourished child is easily discouraged."

* * * * *

"Students who eat a poor breakfast will feel the effects by midmorning, making study, class attention, and play difficult. Teachers who practice poor eating habits will fall victim to this same letdown feeling which may give rise to quick tempers, strained teacher-pupil relationship, and unavoidable conflicts in the classroom.

"Good school lunches are just as important as breakfast and needs to be stressed."

Peck, Leigh, "Child Psychology—A Dynamic Approach," Boston, D.C. Heath & Co., 1953, pages 264–265.

"The brain, which is the organ of intelligence, is nourished, like all the other bodily organs, from the food we eat. We know that serious dietary deficiencies can impair the functioning of various organs, and that such deficiencies sometimes affect the nervous system itself. For example, in certain parts of this country (especially in the South) pellagra, caused by a diet lacking in vitamins, is found among poor laboring people who are forced to subsist on "bread and sow belly" for several months of the year. It affects the digestive tract, the skin, and the nervous system, causing some of its victims to lose their minds and to require care in the State hospitals. It's incidence is highest among mothers of growing families, who, though they need extra nutrition to meet the demands which their unborn children are making on them, tend to deny themselves food in order to give more to the children they already have and to husbands who must eat in order to do hard labor. Treatment consists of a highly nourishing diet supplemented by injections of vitamins.

"When we see how extreme malnutrition causes mental illness in an adult, we are more than ever impressed with the seriousness of the question, Does long-continued malnutrition affect the mental efficiency of growing children? To answer that question, we must turn to studies that follow the procedure of locating an experimental group of undernourished children (unfortunately, not a hard thing to do in the underprivileged section of any city), giving them intelligence tests, supplying supplementary nutrition for a period of months, and then retesting intelligence. In order to avoid confusing the influence (if any) of practice in raising test scores with changes due to improved nutrition, a control group is necessary. This may consist of either (a) undernourished children who are tested and later retested, but are not supplied with increased nutrition between tests, or (b) well-nourished children who are tested and later retested, with no change of nutritional status between tests. The relatively few such studies that have been reported agree in finding an increase in IQ in the experimental group, with improved nutrition.

"In one study reported by Kugelmass, a pediatrician, the experimental group consisted of 41 retarded and 50 normal children, who were malnourished when first tested but well nourished at the time of the second test. The control group of 41 retarded and 50 normal children, were well nourished throughout the period covered by the experiment. All children were between 2 and 9 years of age. The control group and the experimental group were equated for chronological age, initial IQ, and time interval between tests (Stanford-Binet or Kuhlmann-Binet). For control group, no improvement in average IQ was found. But in the experimental group, there was an average rise in IQ of 10 points for the retarded children and 18 points for the normal children. Moreover, the results indicated that the younger the malnourished child is when nutritional therapy is provided, the greater the improvement in mental functioning."

Southworth, Herman M., and M. I. Klayman, "The School Lunch Program and Agricultural Surplus Disposal," Washington, U.S. Government Printing Office, 1941, page 4

(U.S. Department of Agriculture, Miscellaneous Publication No. 467, October 1941):

"Medical science is finding nutrition an important factor in the incidence or intensity of an increasing number of diseases and disorders. Minor dietary inadequacies are now recognized as contributing causes of irritability, lassitude, and other ills, mental or nervous or physical. They may not commonly be called sickness, but they do mean failure to enjoy sound and robust health.

"In the case of schoolchildren these health deficiencies mean inability to concentrate on studies, lack of interest in schoolwork, and other undesirable attitudes. A child so handicapped cannot take full advantage of the educational opportunities provided him at the community's expense. He grows into adulthood ill equipped in both mind and body for making his own way in society.

"In the light of such discoveries modern nutritionists are turning more and more from minimal standards of diet, the food intake that will sustain life and prevent obvious deficiency diseases, to optimal standards the food intake that will make possible the full measure of physical and mental vitality and stamina of which a person is capable. A diet of this kind for every child would seem to be a proper goal in a society that is based on equality of opportunity. But in the United States we appear to be falling far short of providing for every child a diet that meets even minimal standards, to say nothing of optimal."

Thorpe, Louis P., "Child Psychology and Development," second edition, New York, Ronald Press Co., 1955, pages 95–956; 599:

"Biochemistry now is receiving the recognition it deserves, and its importance for the physical growth and emotional well-being of children no longer can be ignored. Contemporary research on both animals and humans has disclosed the findings that emotional reactions, disorders of the nervous system, disease syndromes, and growth and aging are intimately related to nutrition and the chemistry of the body."

* * * * *

"A third major group of children with delicate health is that comprising those who manifest symptoms of inadequate nutrition. These children may experience extreme fatigue, be unable to learn readily, develop various intestinal disorders, be marked by defective conditions of the skin or hair, be retarded in muscular coordination, be underweight, show inadequate bone growth, and so on."

U.S. Office of Education: Interdivisional Committee on Nutrition Education and School Lunch.

"School Lunch and Nutrition Education—Some Questions and Answers." Washington, U.S. Government Printing Office, 1951, page 2.

"The school lunch contributes to the health of a child to the extent that it bridges the gap between what that child needs in his diet and what he obtains in his diet at home. Food at school and food at home should meet body needs for growth, vigor, and resistance. When children and youth do not have adequate diets, varying degrees of nutritional deficienices may develop. Although some of these deficiencies may not be apparent, they are nevertheless real. Malnutrition may hinder schoolwork because it may interfere with the child's ability to carry on normal activities."

U.S. Office of Education: "The School Lunch—Its Educational Contribution," Washington, U.S. Government Printing Office, 1954, page v.

"Much has been said and written concerning the importance of the school lunch to the well-being of boys and girls. It is coming to be widely recognized that an adequate noon meal is indispensable if pupils are to be well nourished, and that only well-nourished pupils are able to derive maximum benefits from the opportunities provided by the school. As a result, the proportion of schools which serve a complete meal, or at least a supplementary dish at noon, has steadily increased [John W. Studebaker, former U.S. Commissioner of Education]."

ANNE M. FINNEGAN,
HELEN A. MILLER,
Education and Public Welfare Division.
MARCH 10, 1959.

Mr. MORSE. How nice it would be if we could say that every little boy and girl would also get a nutritious breakfast and would get a nutritious supper. But we can say the children shall have a nutritious lunch.

Because of one facet of the point raised by the Senator from Rhode Island, I raised this problem in the committee myself: What about the lunch program when school is out of session? As the RECORD will show, that is when I got the pledges of voluntary assistance to help the District Commissioners and the school authorities to see to it that even during recess periods in the summer these little boys and girls would at least get that one precious nutritious meal a day.

Mr. President, we have a chance for a great public service. We have an opportunity in the Senate of the United States this afternoon to really serve human values and to demonstrate that we simply refuse to put a dollar sign ahead of a proved need for food for 7,000 little boys and girls in the District of Columbia.

PARLIAMENTARY PROCEDURE

I think the Senator from Rhode Island as the chairman of the subcommittee of the Appropriations Committee is obligated, parliamentarily, to raise a point of order. That is why very early in my speech today I told the Senate that my amendment is subject to a point of order. I think the Senator should raise the point of order, but I think the Senate overwhelmingly should vote to suspend the rules, because when the point of order is raised I shall move to suspend the rules. It will take a two-thirds vote to suspend the rules, and that is fair to the Senator from Rhode Island. That will be no reflection on the Senator from Rhode Island.

That is the way we conduct parliamentary procedure in the Senate of the United States, Mr. President. We ought to follow the rules. If the Senator from Oregon puts forward an amendment which is subject to a point of order, I think the point of order ought to be raised. And then I think the Senator from Oregon ought to move to suspend the rules. Because of the merits of my argument, because of the humanitarian nature of the proposal, because of the social justice involved, I think the Senate of the United States ought to overwhelmingly vote to suspend the rules. In fact, I should like to see even my dear friend from Rhode Island join me in that vote. I think that his heart will so dictate. I think his heart will so dictate because I think I am on solid ground on my motion to suspend the rules.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. MORSE. I yield to my friend from Pennsylvania.

Mr. CLARK. The Senator is aware that under rule XL of the Senate there is a requirement for one day's notice of intention to move to suspend the rules. Has the Senator filed such a notice?

Mr. MORSE. I filed the notice last Friday.

Mr. CLARK. I am delighted to hear that.

Mr. MORSE. I made a speech in the Senate last Friday, serving notice that I was going to move to suspend the rules. I have lived with this problem.

Mr. CLARK. I do not want to interfere with the Senator's train of thought. I have a number of questions I should like to ask the Senator. I should be happy to defer them until later, if the Senator would prefer.

Mr. MORSE. The Senator may ask the questions at any time.

Mr. CLARK. How many hungry schoolchildren are there in the District of Columbia?

Mr. MORSE. I am seeking in this speech to answer that question of fact by offering proof which leaves no room for doubt, in my judgment, that there are at least 7,000. I think there are more, but I think we have established beyond question the figure of 7,000.

Mr. CLARK. How long have they been hungry?

Mr. MORSE. These little tots have been hungry since they were born. I am not talking about each individual, but about the group. The situation continues year after year.

Mr. CLARK. This has been a continuing situation for quite a long while, has it not?

Mr. MORSE. The Senator is correct.

Mr. CLARK. How long ago was this condition brought to the attention of the Commissioners of the District of Columbia?

Mr. MORSE. More than 2 years ago.

Mr. CLARK. That was the result, was it not, of an investigation conducted by the senior Senator from Oregon?

Mr. MORSE. Ably assisted by the Senator from Pennsylvania, the Senator from Maryland [Mr. BEALL], and other members of the District of Columbia Committee.

Mr. CLARK. How close to the Nation's Capitol do some of these hungry children live?

Mr. MORSE. As the Senator knows, even though some spots have been cleared in the slum clearance program, the Senator could stand at the back of the House Office Building and, with one of the little stones he and I used to throw as boys, called "sailing stones," which we threw out on the water and across a stream, he could hit some of those hovels. Some of them are within two blocks of the Capitol. They have no toilet facilities.

Within two blocks of the Capitol, the Senator could walk down the alleys on hot July days and find that the stench from human waste was nauseating. That is how close to the Capitol this

problem comes. We made some improvement by eliminating some of the hovels, but there are still many blocks of them near the Capitol.

Mr. CLARK. How much would it cost to give those children one square meal a day?

Mr. MORSE. The request I am making is for $700,000, in addition to the $133,000 which the Senator from Rhode Island [Mr. PASTORE] is recommending. The answer is that the additional amount, in round numbers, is $700,000.

Mr. CLARK. That would merely provide one square meal a day for 7,000 hungry children only during the period they were attending school.

Mr. MORSE. This would provide only for the school year. As I stated, at the hearing I asked almost every witness who represented some agency, church, parent-teacher group, or neighborhood house if he would volunteer his services if the District of Columbia authorities were to provide facilities to distribute food during the vacation period.

Mr. CLARK. Does the bill before the Senate provide the full amount asked by the District Commissioners?

Mr. MORSE. It provides a little more.

Mr. PASTORE. No. It provides exactly the amount asked for, namely, $133,000.

Mr. MORSE. It provides more for some other items.

Mr. PASTORE. In fairness to the House, it should be stated that the House increased the amount by $166,000, but it took the additional sum from the operating cost of the school department. That action was opposed both by the school department and by the Commissioners. The Commissioners thought they should receive the modest starting figure of $133,000.

Mr. CLARK. Would the Senate committee version provide the full amount requested by the Commissioner?

Mr. PASTORE. Yes.

Mr. MORSE. Mr. President, I am very much opposed to taking any of the money from teachers' salaries. It must come from the Federal payment.

On the House side we have the further bad situation, in which we would, in effect, in my judgment, be taking it, in the last analysis, from teachers' salaries would we not?

Mr. PASTORE. I quite agree with the Senator. If it is to be done at all, it should not be done at the expense of curtailing other essential services or eliminating things which must be done for the general welfare of the community. If we are to embark upon the program at all, we must provide for the financing of the program. The Senator has so proposed. He has added the cost to the contribution.

There was quite a discussion as to whether or not we dared to raise the House figure for the Federal contribution. It is true that in negotiating in conference with the House we have not gone beyond the figure stipulated by the House. The Senator from Pennsylvania knows that we have gone through that experience for the past 3 or 4 years. That is one of the realities of life. I do not know how the House might look at it if the Senate were to overrule it.

I am compelled to raise the point of order. As I previously said, I do so reluctantly because this is such a humanitarian project. However, I feel that the Commissioners are on the right side of the whole problem. They are willing to undertake the program on a modest scale. The only question is, Should we go all the way now, or be content with the modest start suggested?

Mr. CLARK. So far as the Senator knows, did the Commissioners give any explanation as to why they were unwilling to accept the full program recommended by the Senator from Oregon?

Mr. MORSE. I think it is fair to say that in their argument they said they would like to try out the program. They said they would like to pursue a further inquiry into the facts. The hearing record will show, on page 66, a statement by Commissioner McLaughlin, in which he stated that to install a complete lunch program in the elementary schools was beyond the ability of the District of Columbia to finance. On page 66 there is a discussion of that subject. I take the position, of course, that it is up to us to provide the financing.

Mr. CLARK. What is the Federal contribution called for by the bill?

Mr. PASTORE. In the Senate committee version, $27 million; in the House version, $25 million.

Mr. CLARK. What is the authorization for the Federal payment?

Mr. PASTORE. $32 million.

Mr. CLARK. Is the Senator aware of any reason why the entire authorized Federal payment should not have been included in the bill?

Mr. MORSE. There are many reasons, but I am in disagreement with the reasons.

Mr. PASTORE. May I answer the question?

Mr. MORSE. Certainly.

Mr. PASTORE. Last year we appropriated $20 million for the Federal contribution. This year the House committee recommended $22,500,000, for the fiscal year 1960. Then a new proposal arose in connection with the supplemental bill, which required $7 million, I believe. At any rate, $2,500,000 was restored on the floor of the House, which made the full amount $24 million. This was 3 or 4 weeks ago.

We have no illusions as to the area in which we are working. It would not require much pushing of the Senator from Rhode Island to make the figure $32 million. On the other hand, it makes little difference with what we go into the conference. The important thing is with what do we come out. Usually we come out with a figure more or less dictated by the House. Those are the facts of life.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. CLARK. I should like to assist the distinguished Senator from Oregon in giving our distinguished colleague from Rhode Island, whom I hold in the highest and most affectionate regard, a push. I think it would be a good thing to push our friend from Rhode Island a little further, particularly when he says he does not mind being pushed.

I think we all owe a great debt of gratitude to the Senator from Rhode Island for his own sense of propulsion, which has resulted in substantially increasing the amount of the Federal payment over what it was during the first year of my service in the Senate.

I believe our thanks should also be extended to the distinguished chairman of the Committee on the District of Columbia, the able Senator from Nevada [Mr. BIBLE].

I believe that truth has a way of prevailing, on the whole, and in the long run. Under a series of pressures from this body, our good friends in the other body are slowly but surely coming to appreciate the fact that we cannot afford to have the Capital of the greatest Nation in the world inadequately financed, with inadequate public services, and with 7,000 hungry children within a stone's throw of the Capitol.

I agree that my good friend from Rhode Island is obligated to make the point of order. I hope he will help us to have the Federal payment increased, and to obtain money for the hungry schoolchildren. I hope he will help us to obtain the two-thirds vote we need to place this item in the District of Columbia appropriation bill, and that he can go to conference with a clear conscience, as I know he would, and say to our good friends representing the House, "Gentlemen, this question does not involve solely the District of Columbia. This is a question for the United States of America. This is a question for the whole free world."

I say to my good friends from Oregon and Rhode Island that we cannot justify before the people of Washington, before the people of the United States of America, before the people of the uncommitted world, and, indeed, we cannot justify before the people of the slave world, permitting 7,000 hungry children to exist within a stone's throw of the Capitol.

I wish to commend my friend from Oregon for his courage and industry and persistence in keeping this matter before the Senate year after year. I hope he will continue to keep it before the Senate year after year. It is a rank injustice to these children that American citizens should be denied the right to vote their own taxes and appropriations through action of the Senate.

Mr. MORSE. I thank the distinguished Senator from Pennsylvania very much. I quoted from what Commissioner McLaughlin has said in the record of my hearing, because I always insist upon trying to be fair, and if I am not, it is because I have been overlooking something. I now notice another statement which I should like to quote, in fairness to the Commissioner. I quoted his first statement with respect to the installation of a free lunch program in the elementary schools, and his stating that it was beyond the ability of the District to finance it. In other words, his first objection was the question of money. Then later he went on

to say that he felt it was necessary to make a study of it, and this is his testimony:

In the plan submitted by the special committee of the Board of Education, it is stated:

"Since the teachers and principals are in close contact with the children, the selection of pupils to receive free lunches should be left wholly in the hands of these school officials."

The total estimate of children eligible to receive free lunches was made by the principals and teachers in June 1958. The computed number, 7,000, has not been verified, and the Commissioners believe that it may be overstated. We propose that needy children to benefit in a free lunch program in the elemetary schools be certified by the Department of Public Welfare.

In other words, he raised a question of fact. Once he raised that question of fact—and he was an early witness; in fact, I believe he was one of the first witnesses—I devoted the hearings, by witness after witness, to testimony bearing upon that question of fact. It is that testimony which I am summarizing in my speech this afternoon. If Senators will analyze it, they will see that we should have a program for at least 7,000.

I should like to say further, in regard to the Commissioner's wanting a pilot program, to determine whether we ought to have a free lunch program, one would think, to hear that statement, that we were back in the 1930's. There was a time when this was a great issue in the educational systems of America. But no longer is it an issue.

Let us look at the school lunch table I have already put into the RECORD. State after State, city after city, community after community, has a school lunch program. Yet here we have three Commissioners of the District of Columbia who say, "We want a year to study it, to try it out on a thousand children."

I say respectfully and good humoredly that they ought to read, and they ought to study, and they ought to go into the record as to what has been proven about the desirability of a free lunch program. They ought to go into the doctorate theses and the university research studies which I have put into the record of my hearings as to the direct relationship between a free lunch program and attendance and improved behavior and improved absorption ability on the part of students in classrooms. It is a proven case. Therefore, there is no need to try it any further, or to try it to see whether it is a good idea. If I am right on my facts, they do not need to find out whether they have 7,000 children in need of help.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. MORSE. I yield. Then I shall yield to the Senator from Rhode Island.

Mr. CLARK. Who appoints the Commissioners of the District of Columbia?

Mr. MORSE. The President of the United States. If I had my way with the Morse bill, the people would elect a mayor and the people of the District of Columbia would exercise their right of franchise and run their own city.

Mr. CLARK. Is there any connection between the amount requested to run the District of Columbia for the ensuing fiscal year and the President's budget?

Mr. MORSE. Undoubtedly there is, but I will yield to the Senator from Rhode Island on that point.

Mr. CLARK. I assume the Senator from Rhode Island would say that the District of Columbia appropriation is one of the appropriations that go into the President's budget. Is that correct?

Mr. PASTORE. That is right. Of course, let us be fair——

Mr. CLARK. The Federal payment, that is.

Mr. PASTORE. Yes. Let us be fair and say that we do have a school lunch program in the District. We have it in the secondary schools. We have the facilities for it there. That system would serve more or less as a pattern if we followed it in the elementary schools. We do not have such a program in the elementary schools, for the reason that they are not equipped for it and have not been in the past. Whether they could take on the whole load at one time is the problem which is presented here. I quite agree with the Senator from Oregon. I hope we are not arguing the philosophy of the matter. I am not against the philosophy of feeding children in the schools. I am all for it.

Mr. CLARK. I am aware of the very keen interest the Senator from Rhode Island has in this subject. Speaking of the President's budget, I am wondering whether the feeding of these children would be in accord with the budget. I suspect it would not. I wonder if we would not break the sacred $77 billion budget ceiling if we were to feed the 7,000 hungry children in the District. I wonder whether the Senator would care to comment on that point.

Mr. MORSE. Oh, how the Senator tempts me. That is another speech which I shall have to make. The Senator tempts me. [Laughter.] I shall summarize it by saying that there is nothing sacrosanct about a balanced budget if we balance it at the expense of human values.

Mr. CLARK. I should like to ask the Senator one more question. Does the Senator have any doubt that the District of Columbia Commissioners were clearly wrong—and fine gentlemen they are—when they said it was beyond the ability of the District of Columbia to finance the school lunch program?

Mr. MORSE. They are just as dead wrong as anyone wrong can be, especially in view of some of the other recommendations they have made which I feel they should not have made if they were going to do it at the sacrifice of this item.

Mr. CLARK. I suspect that, being appointed by the President, they come a little under his influence when the question arises as to whether they are afflicted with "budgetitis."

Mr. MORSE. One reason why I am against the administration's alleged home rule bill—and it is not a home rule bill—is that the President would appoint a governor and a lieutenant governor—2 patronage jobs—and one of my objections to it is that the governor and lieutenant governor would be bound to give at least some consideration to whether the President would smile upon them if they followed a course of action known to be contrary to his position in regard to some matter of public policy.

However, that is another subject. Senators will have to listen—of course they can walk out, as many do—but they will have to hear from me on that subject later, when we get into it. I have a great many things to say to my able chairman, the Senator from Nevada [Mr. BIBLE]. I am lobbying him. I am trying to get him to be in favor of the Morse bill as against the backward bill of the President. He has been very fair. He has made it very clear to me that he is open to persuasion. I am working on him.

These matters are all hooked together. We have before us right now the question as to whether we are going to accept what in the last analysis is the budget recomr endation of the Bureau of the Budget—with the Bureau of the Budget speaking for the President—or have a free lunch program for 7,000 children.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. PASTORE. I believe I am one of the cosponsors with the Senator from Oregon on his bill for home rule for the District of Columbia. If I am wrong about that, I would be honored to be a cosponsor.

Mr. MORSE. I am happy to have the Senator as a cosponsor. As I said earlier it is seldom that I find myself in disagreement with the Senator from Rhode Island.

Mr. PASTORE. I believe we should clarify an apparent injustice which may be done to the President of the United States—and I rise now as a Democrat only because there is no Republican Senator present on the floor at the moment—and out of clarity in the situation, I should like to make a statement.

In fairness, it should be said that the President sent to Congress a budget which called for a Federal contribution to the District of $32 million. But the House cut back that amount to $25 million. I suppose that if the recommendation of the President were followed in that regard—and certainly we took into account the overall budget which was sent up by the Bureau of the Budget—and if the District were allowed $32 million, there would have been more than enough money not only to take care of the 7,000 children provided for in the amendment of the Senator from Oregon, but, indeed, all of the hungry children in the community, because I am frank to say I think the number might exceed 7,000.

Mr. MORSE. I thank the Senator from Rhode Island for pointing out that the President recommended $32 million for the District of Columbia in the budget. The record is clear that when he did so, I highly commended him. It strengthens the argument made by the Senator from Pennsylvania that the Committee on Appropriations should be given a little push toward approving $32 million.

I think that with the President behind us—and I think we would have him behind us—we should rally to the cause of providing the $32 million originally recommended by the President, and could then certainly add $700,000 more for 7,000 hungry children in the District of Columbia.

I thank the Senator from Rhode Island for helping me out with respect to the President, because now, in the name of the President, I ask for $700,000 for the 7,000 children.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. CLARK. Let the RECORD show that the distinguished Senator from Maryland [Mr. BEALL] has just entered in the Chamber and is the only Republican present during this discussion. I hope that when the motion of the Senator from Oregon is put to a vote, there will be a solid phalanx of all Republican Senators backing the President of the United States in order to get the money to feed the hungry schoolchildren and to provide the $32 million appropriation which is so drastically needed by the District of Columbia.

I feel certain we can count on our colleagues who will be filling the empty seats across the aisle to stand by the President in this regard.

Mr. MORSE. I thank the Senator from Pennsylvania.

Mr. CLARK. In a somewhat different vein, I may say that I was unable to be present during all of the splendid speech which the Senator from Oregon is making.

Mr. MORSE. The Senator is still with me on the introduction.

Mr. CLARK. I hope that either he has commented or will comment, perhaps in extenso, upon the impact on our foreign policy of 7,000 hungry school children who live within a stone's throw of the Capitol of the United States, in the light of the information which can be spread all over the world as a result of this debate.

FOREIGN POLICY ASPECTS OF PROBLEM

Mr. MORSE. As my very able colleague on the Committee on the District of Columbia, the Senator from Maryland [Mr. BEALL] knows, I made in committee what I called the foreign argument in support of this program. I will give a thumbnail sketch of it here.

There is no doubt that what Congress does in fulfilling its responsibility to the District of Columbia is a matter of wide comment, particularly in the underdeveloped nations of the world. I said earlier in my speech that most of the 7,000 boys and girls are Negroes. We know what happens to propaganda on the part of those forces in the world which want to put us in a bad light. I simply say that the record is clear and can be documented.

For example, the fact that Congress does not provide home rule for the District of Columbia and the fact that there are hungry children in the District of Columbia are matters of international comment, particularly in the underdeveloped areas of the world. Mr. Lee, Mr. Gulledge, and Mr. Smith can bear out that statement. So could Dr. Marcy, the head of the staff of the Committee on Foreign Relations, if he were here. Many communications from many parts of the world have been received concerning the hungry children investigation which the Senator from Pennsylvania [Mr. CLARK] helped me with 2 years ago.

I have always been surprised by the number of requests we have had for copies of those hearings from many parts of the world, including the underdeveloped areas. The Senator from Pennsylvania has put his finger on a very important facet of the issue we are considering this afternoon. If we want to strengthen America's position prestigewise in the field of foreign policy, then let us do something about the deplorable conditions in the District of Columbia, for which we in Congress are responsible, because we hold the purse strings.

Mr. CLARK. There is no question about that.

Mr. MORSE. We can determine whether we want to provide $700,000 this afternoon or not.

Mr. BEALL. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. BEALL. I congratulate the Senator from Oregon on the splendid statement he is making. He and the Senator from Pennsylvania [Mr. CLARK] and I acted together on this matter 2 years ago. I am definitely with the Senator in what he is doing this afternoon. I think it was about 5 weeks ago that I wrote him a letter, which is now a part of the hearing record—I shall not reread it—in which I commended the Senator from Oregon for bringing this matter to our attention.

I think it is very unfortunate that some persons wish to inject the racial question into such matters. To me, this is a moral question. I can readily understand why certain persons who are trying to disrupt our activities and are trying to drive a wedge between certain groups of people in the United States, and who are trying to separate us by one subterfuge or another, always raise the racial question. But because the group who are most affected are those of a minority race, it ill behooves us in Congress to do anything which would draw criticism upon us from people in other parts of the world.

The distinguished chairman of the Subcommittee on District of Columbia Appropriations made a statement concerning the administration. I did not quite hear all that was said. However, I think it is interesting to note—and the record will so show—that the Committee on Appropriations reduced by $4 million the budget which the President had requested. So now if we are economy minded, who is responsible for that?

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. BEALL. I yield.

Mr. PASTORE. I rose in defense of the action of the President. The question was raised whether it was an economy-minded President who was denying funds for this purpose. In justice to the President, since there was no Republican in the Chamber at the moment, I rose to say that the budget which had been sent up by the President required a Federal contribution of $32 million. I made that statement in the President's defense, not in criticism of him.

Mr. BEALL. Then I rephrase my remarks. I thank the Senator from Rhode Island for coming to the defense of the President.

I hope the Senate will concur in the motion of the Senator from Oregon that the rules be suspended so that his amendment can be considered. I wholeheartedly endorse the amendment, and will support it.

Mr. MORSE. I thank the Senator from Maryland. I, too, joined in the suggestion that we should support the President in his recommendation concerning the District of Columbia budget. I hope every Republican Senator will ask the question before the vote on my motion to suspend the rules: Where does GLENN BEALL stand? I stress that to my Republican colleagues, because the Senator from Maryland is the ranking Republican member of the Committee on the District of Columbia; and if the Republicans were in control, he would be the chairman of the committee.

The Senator from Maryland has always been completely nonpartisan about District of Columbia affairs. I am proud to say that of the whole committee, on both sides of the table. Without any reflection on any other Republican Senator, it is my opinion that no other Republican in the Senate is as well versed and thoroughly familiar with District of Columbia affairs as is the Senator from Maryland [Mr. BEALL]. That means a great deal to me. I should like the distinguished minority leader to pay particular attention to this statement, for I should like his indulgence for a moment. After all, I have a hunch that as the Senator from Illinois votes on this matter a large number of Republicans will vote. I would have the minority leader and the rest of the Republican Members of the Senate know that the Senator from Maryland [Mr. BEALL], in giving his support to me on my motion to suspend the rules, and his support to me on my amendment, does not surprise me a bit. In fact, the only thing which would have surprised me would have been if he had been opposed to my motion, because over the years he and I have stood shoulder to shoulder on issue after issue in the Committee on the District of Columbia. I would guess that probably there could be counted on the fingers of one hand all the times he and I have been in opposition to each other in regard to any matter before the District of Columbia Committee during those years.

So I wish to say to my Republican colleagues that their student on District of Columbia affairs is the Senator from Maryland [Mr. BEALL]; and his support of the motion I made to suspend the rule and his support of my amendment on its merits are very much appreciated by me.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a table in regard to District of Columbia schools.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Public schools of the District of Columbia—Detail showing the number of children in the needy lunch program as of Mar. 10, 1959, with percentage of Negro and white children indicated

School	Total enrollment, Oct. 17, 1958	Number Negro pupils, Oct. 17, 1958	Number white pupils, Oct. 17, 1958	Number pupils on needy lunch program, Mar. 10, 1959	Number Negro pupils on needy lunch program	Percent Negro enrollment on needy lunch program	Percent Negro pupils on needy lunch program to total enrollment in school	Number white pupils on needy lunch program	Percent white enrollment on needy lunch program	Percent white pupils on needy lunch program to total enrollment in school
Bundy	444	437	7	47	47	10.7	10.5	0	0	0
Cook, J. F	695	695	0	55	55	7.9	7.9	0	0	0
Langston-Slater	609	609	0	55	55	9.0	9.0	0	0	0
Monroe	685	678	7	29	29	4.2	4.2	0	0	0
Montgomery, S	581	580	1	27	27	4.6	4.6	0	0	0
Morse	211	211	0	25	25	11.8	11.8	0	0	0
Moten	604	604	0	37	37	6.9	6.9	0	0	0
Perry	277	276	1	51	51	18.4	18.4	0	0	0
Seaton	365	199	166	29	22	11.1	6.0	7	4.2	1.9
Simmons	783	781	2	35	35	4.4	4.4	0	0	0
Stevens	422	398	24	65	65	16.3	15.4	0	0	0
Thomson	572	453	119	105	91	20.0	15.9	14	11.7	2.4
Walker-Jones	952	948	4	120	120	12.6	12.6	0	0	0
Young	1,669	1,665	4	38	38	2.3	2.3	0	0	0
Total	8,869	8,534	335	718	697	8.1	7.8	21	6.2	.2

Prepared by Edith A. Lyons, assistant superintendent, Mar. 10, 1959.

Mr. MORSE. Mr. President, the table shows the number of children in the needy lunch program as of March 10, 1959, with the percentage of Negro children and white children indicated.

I agree with the Senator from Maryland that it is too bad that in connection with this matter there has to be any discussion of any phase of the race program. However, we cannot avoid it, for it is one of the realities of the situation. It simply happens to be one of the facts affecting this situation that many of these needy school children come from the homes of colored people. It is in many of those homes that the food preparation program to which I earlier addressed myself needs to be developed. So, Mr. President, I raise this fact as only one of the operative facts in connection with this program.

Now I wish to proceed with my main argument.

Mr. President, I have stressed the differential with regard to public welfare and the fact that a certain amount of the public welfare assistance funds must be taken from the food allowance, in order to pay the rent, over and above the amount that is permissible. I wish to point out that although the fact that the welfare payments have been increased by a small amount is no justification for arguing that there is no need for this school lunch program. It is still needed, because those small amounts of increase have been needed to make up for increase in cost of living.

Even if for the sake of argument I accepted the logic of that argument—which I do not—I would be forced to ask: "What do you propose to do about the unhelped and hungry 60 percent of the children whose families are not receiving public assistance grants?" and in addition "Why should being in high school entitle the hungry to food? Do not younger children also hunger?"

On page 66 of my subcommittee hearing record may be found the statement of Commissioner McLaughlin in which he stated that to install a complete lunch program in the elementary schools was beyond the ability of the District to finance. He went on to say:

However, we recognize the duty to feed needy children, and a way can be found for a beginning in the direction of a project to furnish free lunches to those pupils who are actually in the "hungry" category. A supplemental appropriation for even a limited type of free lunch program at the elementary school level would be required, as there are no funds available for this purpose.

The District of Columbia Public School Food Service Act of 1951 was amended in September 1958, in order to provide lunches for children without cost or at a reduced cost if such children are members of families who are recipients of public assistance granted by the District.

Now, the chairman may recall that the bill proposed by the District Commissioners had three categories: This category that I have just mentioned; also, the children of large families, and children of families of low income. Now, the bill was passed in this form, and they struck out the other two categories.

It is the intention of the Commissioners to request further amendment of the Food Services Act so that if funds were made available, free lunches might be served to other pupils in cases where there is a demonstrated need for this service, and where the parents were unable to provide for the midday meal. Until an amendment of law is obtained, however, any payments made from appropriated funds for free lunches would be restricted to those for children whose parents or guardians are receiving public assistance.

Now, we have recently had an opinion of the corporation counsel to the effect that the amendment of last year applies when lunches are provided to the elementary schools, in addition to the senior high schools and junior high schools, to the elementary schools as well, although at the time it was passed, it was actually effective and at present is only effective in the senior and the junior high schools.

Senator MORSE. Mr. Commissioner, I think it is true, is it not, that the term "recipient of public assistance," does include those who are certified for surplus foods?

Mr. SHEA. No, sir; it does not. They are two different programs, and a person who is eligible for surplus food is not necessarily eligible for public assistance.

Senator MORSE. We had better take a look at that, hadn't we, if we are going to consider any legislative changes?

Mr. SHEA. We might.

Mr. MCLAUGHLIN. On February 18, 1959, there was submitted to the Commissioners by a special committee of the Board of Education a plan for supplying lunches to approximately 7,000 needy children.

Estimated costs, as determined by the public schools and adjusted by the Commissioners, are as follows:

Public schools:	
Recurring costs: Lunches at 36 cents, transporation, equipment repair, part-time clerical help, civil service requirement, postage, office supplies, electricity and gas	$571,000
Initial equipment and alteration costs	166,000
Department of Public Welfare: Recurring costs: 10 social workers, 3 clerks, and miscellaneous expenses	75,000
Department of General Administration: Recurring costs: Unemployment compensation	8,000
Total estimated 1st-year costs	820,000

The Commissioners are of the opinion that participation by the Welfare Department in such a program is warranted, as will be explained more specifically in subsequent portions of this statement.

Senator PROUTY. Mr. Commissioner, may I ask what criteria are used by the principal and the teachers in determining when a child is hungry?

Mr. MCLAUGHLIN. May I ask the school people to go into that?

Dr. Hansen?

Dr. HANSEN. I'll be glad to supply that.

Mr. MCLAUGHLIN. Dr. Hansen, Mr. Chairman.

Dr. HANSEN. The children whose parents are on public assistance are in the first grouping. Second, the children whose parents or guardians are receiving surplus foods, and in the third category, the children who seem to be in need of food according to the judgment of the teacher, the nurse, or the doctor.

Senator PROUTY. A medical examination is involved?

Dr. HANSEN. A medical observation, not necessarily an examination. These are the three criteria.

Mr. President, a moment ago the Senator from Rhode Island pointed out that we have a lunch program for both the junior high schools and the senior high schools in the District of Columbia.

How well I know that. When I was president of the Parent-Teachers' Association at Alice Deal Junior High School for two terms, I auctioned off—I do not know how many—hundreds of dollars' worth of cookies, pies, candy, cakes, and whatnot, in an effort to raise funds with which to buy the equipment for the cafeteria—because, Mr. President, believe it or not, a parsimonious Congress never appropriated enough money, in connection with the District of Columbia budget, to pay for kitchen equipment and cafeteria equipment in the junior high schools and the senior high schools of the District of Columbia. So many a parent-teachers' association in the District of Columbia has raised the needed money, by means of cookie, cake, and candy auctions; and, as I have said, I have auctioned off a good many hundreds of dollars' worth of them for that very purpose.

But I submit that the Senator from Rhode Island has helped my case by pointing out that there is this program in the District of Columbia for both the junior high schools and the senior high schools. If it is needed there, is it not also needed in the grade schools? In fact, hungry as teenagers can get, I do not know of any hunger that can surpass that of a devouring 10-year-old or that of a child of any other age in the grade-school bracket. The facilities are already available.

Let us also not forget that this school lunch program is not going to be a program for hot lunches in all the grade schools. In some instances, the food will be prepared in the kitchens which already exist in some of the neighboring junior high schools and senior high schools. However, as I shall state later in my speech, witness after witness said that from a nutritional standpoint, a bag lunch or a cold lunch, if one could be provided, would meet the nutritional need.

As the witnesses who appeared before our committee showed, Mr. President, there already exist the facilities with which the lunches can be provided. So let me say there is no need for any pilot program as recommended by the District of Columbia Commissioners. Certainly there is no need for it insofar as studying the procedure for administering the program is concerned. That is behind us. The facilities already exist. We have been feeding 700 by means of the volunteer program I have already discussed. To add 300 more would not make any difference, insofar as concerns providing us with any information which we do not already have in regard to the workability of the program.

Mr. President, it was a rather lengthy quotation from the record, but I wished to read it because it nails down the point that the Commissioners have accepted the duty to feed needy children. It also verifies the fact that the Board of Education, alert to the need, had submitted to the Commissioners a cost estimate for the program. This cost estimate, incidentally, was for $687,317 during the first year, as testified to on page 116 of the hearing record; but the Commissioners adjusted that figure upward to $820,000. Since, as I am hopeful will happen, the full amount will be appropriated, I feel it only fair to proceed upon the basis of the Commissioners' estimate.

Mrs. Pettit, who testified for the School Board, as shown on page 116, told the subcommittee:

BOARD OF EDUCATION POSITION

Mrs. PETTIT. Thank you. By unanimous proposal on February 12, 1959, the Board of Education approved a statement of policy to the effect that provisions should be made to supply lunches for needy children by means of appropriated funds at the earliest possible date. The Superintendent and a special committee were authorized to prepare plans for this project in coordination with the Commissioners of the District of Columbia.

On February 18 the committee forwarded a plan to the Commissioners. This was presented to the Board of Commissioners at a meeting held on February 24, 1959. The proposal provides for feeding something over 7,000 elementary-school children at an initial estimated cost of $687,317 the first year and a recurring cost of $521,491 annually.

Now, Mr. President, listen to what this member of the School Board, who is a member of the Board of Education of the District of Columbia, testified to. Her testimony discloses the position of the Board of Education. She said:

The position of the Board of Education on the issue of supplying lunches to needy children from public funds is well defined. It believes that immediate provision should be made for the children who need lunches at school.

She did not say only 1,000 of them. She said it was the Board's decision—and that was the School Board—that provision should be made for those who need it.

I continue to quote from the testimony of Mrs. Pettit:

It believes that it is not only simple justice to expand the needy lunch program at the secondary level to the elementary level, but that this will improve the way these children learn at school. The detailed testimony will be supplied by the Superintendent of Schools, and the administrative staff. I am, however, appreciative of the opportunity to speak on the issue for the Board of Education as chairman of its special committee on this subject of this hearing.

Here is the testimony of the chairman of the special committee of the Board of Education, which was assigned by the Board the task of looking into the lunch program. Here is their program.

The Senator from Vermont [Mr. PROUTY] said at that point:

Am I correct in understanding that the Board of Education recommends that provision for lunches be made exclusively for, roughly, 7,000 needy children?

Mrs. PETTIT. That was the action of the Board.

I next wish to direct the attention of the Senate to the testimony presented by Dr. Hansen on pages 118 and 119 of the hearing record.

Before I turn to his testimony, let me pin this point down for the RECORD. There is no question as to where the Board of Education stands. There is no question, as will be seen in a moment, that the Superintendent and the teachers stand behind it. Who is against it? The three Commissioners. What ought we to do? Follow the recommendation of three Commissioners who are politically appointed by the President of the United States, or follow where the experts lead us? I believe in following to where the experts lead, because in this instance we would be following to where the facts lead.

So we have Mrs. Pettit speaking for the Board and Dr. Hansen speaking for the school administration. We find, upon examining the testimony, that they testify there are at least 7,000 children who need the program.

As I said at the beginning of this speech, the great question of fact before the Senate this afternoon is: How many are there? I say there are 7,000 minimum. If that is true, Mr. President, we simply cannot justify a program for 1,000. We simply cannot justify a program for less in number than those in need.

I ask Senators to listen to what Dr. Hansen said:

SUPERINTENDENT OF SCHOOLS POSITION

Dr. HANSEN. That is right.

So that we are clear on this, that in principle the Commissioners and the Board of Education want to feed needy children. In the presentation of a plan we differ. And perhaps we should explore the areas of disagreement.

Before I go into that, however, I think it might be of interest to the committee to know that since the first schoolday in January we have been supplying free lunches to a fairly sizable number of elementary school-children. This project we call the needy lunch fund project, and it has been supported by public contributions. To date we have received something over $14,000 in contributions from concerned citizens from about 700 donors. As a result of this public support we have been able to engage in what we like to call a pilot experiment. We think we are 1 year ahead of the Commissioners on this, in that we are already feeding at this time nearly 600 children in accordance with a program which is working and which is relatively inexpensive.

We are supplying free meals to children in 11 schools in the downtown area who are selected for this purpose by the principals and teachers. In some of the schools the bag lunches are delivered by truck from nearby cafeterias where they have been made up in the morning. In a number of other school cases the children walk to the nearby junior or senior high school to get the lunch in the cafeteria along with the secondary schoolchildren there.

We have demonstrated that this can be done from a technical point of view, from an administrative point of view, with relatively little addition of cost, and it seems to me, therefore, that we need not take an intermediate step which might be called a pilot step toward the ultimate goal of providing a means and a technique for doing this for all of the 7,000 children.

Therefore, the Board of Education plan is simply this, and I just have to rough it in and can submit the details for the record if you would like.

He did, later.

There would be three systems of administration set up. We would suggest establishing facilities in three elementary schools, supplying the equipment to make it possible to prepare the sandwiches and the other aspects of the lunch there on the premises. This would serve approximately 1,200 of the 7,000 children.

In a number of cases the children would come into nearby secondary schools to get

the lunches there as we are doing now under the present program. This I think would take care of approximately 1,800 of the children. The remaining group would be served by the delivery of bag lunches to the schools. This would require the acquisition of a number of trucks, employment of some personnel for delivery purposes. There would have to be some additional equipment installed in some of the larger cafeterias in order to make it possible to prepare the lunches there.

The total cost, as Mrs. Pettit has said, would be in the neighborhood of $687,000 for the first year with the recurring cost of $521,000.

I would like to make an analysis of this proposal against the plan submitted by the Commissioners this morning. In essence, in operation and in techniques, the plans are identical. The difference is in extent. We believe that the cost estimates which we have made are fairly accurate. It is true, of course, that additional administrative charges would be required such as would follow from the increased use of telephones and electricity, heat—although I am not sure that would be a major factor because we heat these premises anyhow; so there may be some additional cost items here which we haven't taken into account.

The problem of unemployment compensation during the summer would perhaps have to be recognized as a part of the total cost, but I suspect for the additional personnel we would employ, this would be a very minor item indeed.

As to the question of practicability, then, we have already demonstrated through experience that we have the capability, if we had the money, to do the job for most of the needy children in our elementary schools, and I believe this is the position of the Board of Education as it presented its plan to the Commissioners recently, and as it took the position policywise that the needy children in the elementary schools should be given supplementary meals at the noon hour.

Senator PROUTY. Could I ask what is included in this so-called bag lunch?

Dr. HANSEN. Two sandwiches which may consist of such items as meat or cheese, some variety in the sandwiches.

Senator PROUTY. What have these cost?

Mrs. SWINGLE. Also a salad, half a pint of milk, and fruit for dessert.

Senator PROUTY. What has the cost been?

Dr. HANSEN. 27 cents.

I come back to the question of fact I have raised and which I seek to answer this afternoon. The School Board tells us there are 7,000. The Superintendent of Schools tells us there are 7,000. Commissioner McLaughlin says what? He does not say that there are not 7,000, but he says, "It may be that is an overstatement." Is that a reason? Is that a reason for denying the appropriation necessary to feed the 7,000? Not at all. If he wants to take that position, then he should come forward with rebuttal proof that the number is not 7,000. The fact is there is not one line in the testimony of the Commissioner which supports any questioning of the 7,000 figure. To the contrary, Mr. President, the record of my hearing is overwhelming in support of the 7,000 figure.

Mr. President, I submit that this testimony is pretty authoritative. The Superintendent of Schools makes out a good case, in my judgment, that the experience gained under the present voluntary program by the school people is such that they have the capability to do the bigger job if they are given the funds. The pilot program phase has been taken care of. I submit we ought to get into full production. Dr. Hansen has testified that in operation and in techniques the plans of the School Board and the Commissioners are identical. The difference is only one of extent.

Mr. HART. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. HART. I regret that I was not present while the Senator from Oregon was reading the testimony from the record, but the Senator has repeated a phrase which caught my ear. The Senator said that the difference is only one of extent. I wonder if it is an unfair paraphrase to say that it is a difference of extent in the sense that under the Board plan there will be some children who will eat and under the plan proposed by the Commissioners there will be some children who will not eat.

Mr. MORSE. That is correct. It is rank discrimination.

This is another thing which bothers me about the Commissioners' plan, Mr. President. Why in the world do the Commissioners want to discriminate against 6,000 little boys and girls? Why in the world should the Commissioners want to put this very unfair responsibility upon the school authorities of this District, to select 1,000 out of the 7,000 who need it? There is a relatively small amount of money, comparatively speaking, which is needed to supply the food for all.

This is one of the worst features of the District Commissioners' program, and it is a feature of rank discrimination. I simply cannot bring myself to comprehend the situation of a school administrator, if we adopt the Commissioners' program, who is going to have to say, in effect, "These little youngsters cannot have this lunch, but these other youngsters can."

Is that a sentimental argument? I do not think so. It is an argument which goes to a real question of practicality of the program.

Mr. President, I do not think it would be fair of us as U.S. Senators to put that kind of responsibility upon school authorities, by saying, "We are going to pass the buck to you. We are not going to appropriate fully in our capacity as Senators. We are going to pass the buck to you to determine which little boy or girl is going to get this—which little boy or girl, on the basis of one out of seven, will eat, and which six will still go hungry."

Sometimes I get to the point of wondering, in view of such facts as I have presented this afternoon, what we are waiting for. In fact, I have reached the point in this debate that I am almost willing on the basis of the factual record already made to let the matter go to a vote, because it seems to me that all the human values are on the side of those who are urging the additional appropriation.

I intend, Mr. President, to conclude my statement rapidly so that we can then move into the parliamentary aspects of the situation.

I was saying, Mr. President, that a question may be raised about the fact that some children selected by the school officials upon the basis of the three standards of—first, children from families eligible for or receiving public assistance, second, children from families receiving or eligible to receive surplus food; and, third, children who are certified by the school nurse or physician as being undernourished or suffering from malnutrition and unable to pay the cost of a lunch—may not have really needed the lunch provided.

Dr. Hansen's testimony on pages 123 to 130 and data on pages 177 to 179 of the hearing record deals with this criticism squarely. He makes out a good case for the program of screening which was used, and he counters with a followup the report made by the welfare workers. In the course of his testimony he presents data from other cities in support of his contention that the school people should have charge of the program. Because of the time factor I shall not read all of it, but I ask unanimous consent, Mr. President, that the pages referred to be printed in the RECORD at this point in my statement.

There being no objection, the pages of the subcommittee hearing were ordered to be printed in the RECORD, as follows:

DR. HANSEN'S TESTIMONY—PROBLEMS OF HUNGRY CHILDREN IN THE DISTRICT OF COLUMBIA, 1959

U.S. SENATE, SUBCOMMITTEE ON PUBLIC HEALTH, EDUCATION, WELFARE, AND SAFETY OF THE COMMITTEE ON THE DISTRICT OF COLUMBIA, WASHINGTON, D.C., FRIDAY, MARCH 6, 1959

The subcommittee met, pursuant to recess, at 1:30 p.m., in room 6226, New Senate Office Building, Senator WAYNE MORSE presiding.

Present: Senator FRANCIS CASE of South Dakota.

Also present: William P. Gulledge, counsel; Donald P. Feldman, associate counsel; Chester H. Smith, clerk; Charles Lee, assistant clerk.

Senator MORSE. The hearing will come to order.

I'll say to the staff we have to adjourn promptly at 3:30. If we don't finish, we will continue later. We'll have to see how far along we are at the time we stop.

Our first witness for today is Dr. Carl Hansen, Superintendent of Schools.

Doctor, I'm sorry we didn't finish with you the other day. Pick up where you left, and proceed in your own way, please.

STATEMENT OF DR. CARL F. HANSEN, SUPERINTENDENT OF SCHOOLS, DISTRICT OF COLUMBIA; ACCOMPANIED BY MRS. DAGNY PETTIT, MEMBER, DISTRICT OF COLUMBIA BOARD OF EDUCATION; MR. GEORGE REYNOLDS, ASSISTANT SUPERINTENDENT IN CHARGE OF BUSINESS ADMINISTRATION; MISS ALETHA SWINGLE, DIRECTOR, FOOD SERVICES; AND DR. PRESTON A. M'LENDON, MEMBER, BOARD OF EDUCATION

Dr. HANSEN. Thank you.

We were discussing the plan for feeding needy children, and I think I had outlined the essential characteristics of the plan, and I think, basically, we were proposing to do about what the Board of Commissioners has recommended, the difference being that we would like to proceed on the broader base.

There is one other aspect of the plan which ought to be analyzed. That has to do with the method of screening; how to select the children who should be given the lunches at noon. The Board of Education plan suggests that this should be left in

the hands of the principals. We have a tentative suggestion, which perhaps will establish safeguards of a kind, that we would ask parents whose children are in need of help to register on a form, which we would supply, and submit this as an application for assistance. The principal, then, and his staff would analyze the application, and, on the basis of what they know about the child and his needs in the school, would approve or disapprove. If there is a questionable request, we would ask that the Welfare Department look into the case to make an analysis, to see whether there is a justification for the application. But, basically, the procedure would be to leave this part of the program in the hands of the school authorities, I think primarily because otherwise we may become bogged down with administrative redtape, and an excessive amount of social worker investigations.

We think, too, that even if we may supply meals to children who technically are not entitled to them, we would rather make a mistake on that side than on the other side of the pattern; that is, we would rather see some children get meals who perhaps would not be entitled to them, than to have any children not given consideration.

Finally, in this connection, it seems to some of us, at least, that the cost of the investigations bears rather heavily upon the total administrative aspects of this program. I think something like $30,000 has been suggested for the addition of staff to the Welfare Department for the purpose of checking, in the instance of the program for checking 1,000 children, this represents roughly 30 percent of the total cost of the operation.

I think it is fair to say we would prefer to have a larger proportion of the money going directly to the benefit of the children.

It is interesting to note, in this connection, that in many of the major cities that do conduct programs for needy children, the selection is left to principals and their staffs. This is true of Newark, N.J., for example, where the initial identification of the pupil is made by a member of the school staff, or by a recognized agency interested in child welfare, or by parents and guardians. The principal conducts the investigation and approves each case.

In Detroit, the school principal refers each case to the department of dependents for investigation. This is somewhat more involved than we are recommending, but the primary point is that the selection of the children is retained within the authority of the school program.

In Cincinnati, Ohio, school principals certify the needy pupils to the lunchroom manager for free lunches. This is true also of Boston, Mass., and Chicago, Ill., and about the same way as in the other illustrations. It is true that in our secondary school program, which we have been operating for quite awhile, the selection of the children to receive the free lunches is made by the principal and his staff, and this, apparently, has worked quite successfully.

I think I should point out, however, that the enabling legislation, under which we are now operating, for reimbursement for public funds limits public funds to children whose parents are on public assistance. However, I'm sure we'll have to go beyond this particular segment of the problem to provide from other funds for children whose needs cannot be met, and yet whose parents are not on public assistance.

This, I think, is a fairly defensible position, then, that the operation of the program, in terms of the selection of the pupils, ought to be left to the school principal and his staff, with the privilege of asking for investigations from the Department of Public Welfare in the case of doubt, and with an opportunity to evaluate the extent of the program through administrative review by the central office.

Now, the second section of my report will deal, to some extent, with a question which was raised last Wednesday in respect to the Seaton Elementary School. You may remember that social workers were sent into the homes of the children who were receiving free lunches, and a number of cases were found in which, apparently, from the point of view of the investigator, the children should not be entitled to the supplementary meal at school. I have asked the principal of the school to make a very thorough analysis of the situation from her point of view, I hope not, in this instance to the establishing of a point of conflict between the two agencies, but perhaps only to show that the screening which had been done by the principal of the Seaton School was very thoroughgoing and careful.

I think I should point out that this particular principal has been very strict in the management of her school program. She is what we would call a very strong and dedicated principal, one who is concerned with the needs of children, who, I think, has done more than is usual to find ways to help them when they are in need, and yet who believes that to be too gentle or too generous, under some circumstances, might be harmful to the children. This is the report; I'll brief the first part of it.

The first inquiry, in November, when the principal of the Seaton School was asked to report the number of children who seemed to be in need of free lunches in 3 categories of need, she reported that there were 47 such children. These 47 were carefully screened and listed under the following subheads: Children of families who are eligible or are receiving public assistance, 41; children of families who are receiving or who are eligible to receive surplus food, 4; children who are certified by the school physician or school nurse as being undernourished or suffering from malnutrition, and unable to pay the cost of lunch, 2. This totaled 47. Then, when it became apparent that there would be enough money to meet only the partial need, she was asked to screen these down further, and after further careful screening, reported 21 such cases. The screening was done as follows: In conferences on individual cases by the principal with the teachers; in consultation with the school physician and nurse on individual cases; by means of visits by teachers to homes of pupils to determine the urgency of need; and finally, conferences with parents or guardians to further justify the child's participation in the lunch program. This procedure was used when eight additional children were selected to be added to the lunch program. This brought the number being fed at Seaton School to 29. This is the number now receiving free lunches at noon. The principal reports that the children have enjoyed the lunches daily, and have profited greatly by them.

However, about 10 days ago, a welfare worker telephoned the principal and stated there were six children receiving lunches who were not entitled to participate in the program. I have the names of the children here, but I think this should not be made a part of the public record. The principal informed the social worker that the children have been thoroughly investigated by the procedure set out above, and met the requirements of the school.

The inquiry by the worker was very disturbing to the children. One child became so frightened that she refused to eat the lunch, saying her mother could not afford to pay the 27 cents. The principal assured the child the lunch was free and was given to her to enjoy. A neighbor, having learned of the investigation, called the principal of the Seaton School and asked the children be kept on the lunch program, despite the investigation of the social worker, because she felt that the children were in dire need of the lunch.

We have come to the conclusions that perhaps investigations made of this nature, the point of view and the conditions or characteristics of the investigation differ, and that what may seem to us to be a case of need may not in the terms of an investigation of the social worker, be justified. So I am presenting this as response to the analysis submitted on this issue, with the hope that out of this may come a mutual understanding of perhaps differences of points of view, and a kind of reestablishment of confidence in the procedure followed by the principal of this school. This is, I think, a complete explanation and, in a sense, defense of the plan which the Board of Education submitted to the Commissioners for consideration, and I should like to conclude this simply with the statement that we are very appreciative of the fact that a plan has been submitted by the Board of Commissioners, although it does not go as far as that submitted by the Board of Education; it is nevertheless representative of real progress in this direction. While we would prefer to proceed with the broader-scoped program, because we feel that hungry children are hungry next year as well as the year after, we are nevertheless very appreciative of the position being taken by the Commissioners in respect to this aspect of the school problem.

Perhaps I should enter into the record, if I may, a very brief summary of what has happened in the field of food services at the elementary level since the 1957 hearings. If I may, I shall do this from an outline, and make it very brief, so that the committee may have information as to the extent to which the Board of Education has proceeded to grapple with the problem since the issue was raised by the committee 2 years ago.

The first, and perhaps most significant, step was taken in collaboration with the Barney Neighborhood House, actually at the recommendation and through the initiative of the leaders in this organization. The Board of Education approved a program on January 22, 1958, for the experimental feeding of a number of children in the area of the Barney Neighborhood House. These children were fed at nearby cafeterias—Jefferson Junior High School and Randall Junior High School. A total of 202 children received free lunches. A total of 14,182 such lunches were supplied; the cost per lunch to the sponsor was 27 cents. The selection was by principals of the elementary schools concerned and cooperating local agencies, again, I think, illustrating in a practical sense the selection of the children who receive these benefits can probably be left to the school authorities. The evaluations were excellent; the results justified the program.

The Northwest Settlement House proposed a similar program for children at the Bundy and Scott-Montgomery schools. This was approved by the Board of Education in March 1958. A total of 35 children were served bag lunches at Scott-Montgomery School, and a total of 35 were served lunches at Bundy School. The selection again was by the principals concerned, and the results were excellent.

In October 1958, the administrative staff submitted a report to the Board of Education, proposing to proceed as well as we could to continue the programs of the nature—of the kind I have justified, through the assistance of parent-teacher associations, and other groups. We had hoped that we could get some program going through the cooperation of parent-teacher associations in the local schools. Very naturally, how-

ever, the problem is always the greatest where there is the least amount of parental resource in the area. So it developed that nothing could be accomplished by relying upon this kind of assistance. It was then, in December, that I announced to the press that we would be pleased to receive contributions from the community to help us provide, to some extent, at least, for the number of children in the 11 downtown schools. We estimated the cost of this project for the full 959 children to be something like $30,000. Funds came in, in response to this request, with almost unbelievable speed. We were able to report to the Board of Education that we could begin the program January 7, 1959, and this we did, with the amount of money on hand, with approximately 244—I say approximately; I'm not being very precise, but I think that was the number—244 children whose noonday meals were being paid for from the donations received from the public and interested groups or organizations and so on.

We submitted a report to the Board of Education, illustrating how this program was developing. As of March 2, 1959, we were serving 698 children in 14 elementary schools. Three hundred fourteen were receiving bag lunches; 384 hot lunches in nearby secondary schools. Contributions sent to the needy lunch fund totaled, as of March 3, $14,063.22, from 694 donors. We have in balance, as of February 27, $10,497.86. We have been able, then, as you can see, to expand the program.

An evaluation of this project indicates that, first, it is feasible to operate the program by delivery of bag lunches and the use of secondary school cafeterias. This served, secondly, as the basis for the proposal which was submitted to the Board of Commissioners on February 18, 1959, which I have just outlined.

In addition to these steps, the Board of Education has taken certain definite positions on the problem of the needy children's lunch program.

On February 12, 1959, the Board approved a policy statement and plan for action. This was a unanimous approval of the policy of supplying from public funds lunches to needy children. I should like to submit a copy of this whole, if I may, for the record.

Senator CASE. May I ask a question?

Senator MORSE. Senator CASE.

Senator CASE. Dr. Hansen, have you in your testimony, before I came in, or the other day, set forth the basis on which the screening is done, or the determination is made of those which would be eligible for receiving the lunches?

Dr. HANSEN. Yes; the screening is done on the basis of three major principles. First, the children whose parents are on public assistance; second, the children whose parents or guardians are receiving surplus foods. These are the low-income families with need for supplemental aids.

Senator CASE. Now, in the school which you cited, where your first screening resulted in finding 44 eligibles, what was the enrollment at that school?

Dr. HANSEN. I would have to give you an estimate. I would say roughly 400 or 450.

Senator CASE. In other words, 1 out of 10 was found eligible.

Dr. HANSEN. That would be about right.

Senator CASE. And would you state what change in screening requirements was adopted when that 44 was reduced to 21?

Dr. HANSEN. The problem then was to select——

Senator MORSE. May I interrupt, Dr. Hansen? Also tell Senator CASE of the third criterion. You mentioned the first two before he asked the next question. There is a third criterion he ought to know about.

Dr. HANSEN. The third one, Senator CASE, is the recommendation of the school nurse or the physician that the child is undernourished and in need of assistance. The principal had the responsibility of selecting the top 21 or so cases when she was told that we could not supply the free lunches to the total 47. She proceeded, as I have said, through conferences with teachers on the subject, consultation with the school physician and the nurse, and visits to the homes of the pupils and conferences with parents or guardians, to further justify the child's participation. This amounted to a second screening.

Senator CASE. A second screening, then, and possibly an examination of the degree of meeting the requirements?

Dr. HANSEN. That is correct.

Senator CASE. And that was done on a personal basis?

Dr. HANSEN. That is right.

Senator CASE. In one case, all three of the factors might have entered; in another case maybe only two, but the extent of the need or the depth or the intensity of the meeting of the requirements was the one presumably that the teacher used?

Dr. HANSEN. Judgment.

I think it should be pointed out——

Senator MORSE. Senator CASE, could I supplement this?

You said, as I recall, Dr. Hansen, that you were notified that there was this lack of funds to do the full job, and therefore, further screening was needed. If you had had enough money, would you have changed the original number, which I—was it 44 or 47?

Dr. HANSEN. Forty-seven.

Senator MORSE. Would you have changed the original 47?

Dr. HANSEN. I think not. There might have been some adjustment, as we actually got into the operation, some changing, even of school population. But the assumption is that the 47 children represent need.

Senator MORSE. In my recollection of the 1957 hearings, as I recall, there were some cases—I don't know how many, but enough so that there was comment about them—there were some cases where it couldn't be said that the wage earner wasn't earning enough in the home to buy the food if he would buy it, but the fact was that the school authorities found some homes in which they weren't getting surplus food, or they weren't getting public assistance, but who had a parental problem so serious that the children weren't being fed. It is one thing to proceed with remedial measures in respect to the parents, but the problem still remains of seeing to it that those youngsters are fed. In those instances at that time, some of the witnesses expressed the view that they ought to have the authorization to see that the children eat while the Welfare Department proceeded with the remedial measures in regard to the parents.

Are there a sufficient number of those children so that you can say that discretion ought to be allowed the school authorities to see to it that those children get a free lunch?

Dr. HANSEN. I think very definitely. Perhaps in some ways, these children represent the most pathetic cases. For example, a family of eight or nine that I have been told of, where the father is a laborer and working part time, off and on, not making enough money to supply the family or the children in school. The supplemental feeding in the school was of great value to the children, and did assist, in a way, in meeting the economic needs of the family. Possibly, it could be argued that with some of this assistance, certain families could be kept off the relief rolls entirely. I realize this is a theoretical position, but it may be that this extra amount of help with the children, while they are in school, might make the difference between having or not having supplemental assistance from some other agencies.

I think the problem of need may represent improvidence on the part of the family; it may represent misuse of funds received from the public welfare. The fact remains that these children are hungry, and it is not in keeping with the American tradition to hold the children responsible for the sins of their fathers.

Senator CASE. This school where the principal made this survey, was it selected for some particular reason?

Dr. HANSEN. You mean selected for investigation?

Senator CASE. Yes. Was it representative of the situation throughout the District, or was it a school selected because there seemed to be special need there?

Dr. HANSEN. The Seaton School was 1 of the 11 downtown schools which we selected for the project, and these 11 were selected, as you may guess, because of the fact that they are in economically deprived areas.

Senator CASE. By what you have just said, you would suggest the conclusion that these schools had a larger percentage of need than the schools of the District as a whole.

Dr. HANSEN. Yes, sir.

Senator CASE. What estimate have you made, or what facts do you have, to indicate how great the need is? Is it in number, or can it be stated in percentages of total enrollment?

Dr. HANSEN. We can state it both ways. We made a survey of all the elementary schools, and asked each principal to respond to the question, how many children would fall in the three categories we have outlined here, and would represent need in terms of food at noon. The November report indicates that that number is in the magnitude of 7,134, or something like that, representing the city as a whole. This, roughly, is 1 in 10 of the total population—elementary population.

Senator CASE. And you have funds for how many?

Dr. HANSEN. We are now supplying the food to about 700 children and we expect that we'll have sufficient funds to carry this program through April, possibly May. If the money continues to come in, as it seems to be doing very well, we may be able to extend the program through the rest of the year. If money comes in additionally, we may be able to broaden the base.

Senator CASE. For the 700?

Dr. HANSEN. Yes, sir.

Senator CASE. And there are about 6,300 that you feel are not provided for?

Dr. HANSEN. That is right.

I think I have only one other item to complete the record of the action taken by the Board of Education with the administration with respect to food services. That has to do with the plan I have already mentioned, submitted February 18, 1959, to the Commissioners, for the feeding of the needy children.

Mr. Chairman, without wishing to raise the question here, because my position is that of supporting the Board of Education, I think perhaps, as a part of the record of attack upon the problem of luncheon services to the elementary schools, I ought to indicate that we did submit a recommendation to the Board of Education for the establishment of it as a policy, the equipping of elementary schools for a general lunchroom service, and then that, after due deliberation, and I think with justifications, in the light of present conditions, the Board of Education, by a majority vote, decided not to support this recommendation at its meeting on February 18. This, I think, would complete the summary of actions taken by the Board of Education and School Administration since the 1957 hearing.

Senator MORSE. Before I call the next witness, I have a question. Don't mind my standing up here; I'm standing up for two reasons: First, I had too much lunch, and second, I would like to have some of the money that was wasted on these chairs go

into the school lunch program. I can't imagine anything more uncomfortable than the chairs here in this several-million-dollar building. But that is another matter.

Do I understand, Dr. Hansen, that you think a bag lunch program for the elementary schools is feasible?

Dr. HANSEN. We have, in fact, demonstrated that we can say "Yes" to that.

Senator MORSE. I'm just asking these questions for the record, not to indicate my feeling on them.

It is true, is it not, that there have been nutritional studies made to show, from the standpoint of nutrition contained in the bag lunch, it is, from the dietary standpoint, or can be made from the dietary standpoint, as nutritious as a hot lunch?

Dr. HANSEN. That is the information I have. We might supplement it with a comment by Miss Swingle, who is the expert in this field.

Miss SWINGLE. I feel we can meet the requirements. There will not be as much variety. We have to face that.

Senator MORSE. But the thing about help and the thing about sustenance that will permit these children to do satisfactory schoolwork, recognizing the fact that when they are hungry, they eat, whether there is a great deal of variety or not—this is typical of all of our children—I'm just asking to have the record show, so there will be no dispute about it, that so-called cold bag lunches would meet the nutritional needs?

Miss SWINGLE. Yes.

Senator MORSE. You would be able to supply this record either with references to studies, or with a memorandum that would support that finding, in case anybody in the Senate raises a question about that.

Miss SWINGLE. I believe we can do that.

* * * * *

Senator MORSE. There will be included at this point in the hearing record a letter dated March 10, 1959, from Dr. Carl F. Hansen, Superintendent of Schools, containing data requested by the subcommittee at an earlier hearing.

There will also be incorporated at this point in the hearing record, a letter under date of March 12, 1959, from Dr. Carl F. Hansen and the attached report to Dr. Hansen from the principal, Scott Montgomery-Morse Schools.

(Letters and attached report referred to follow:)

SUPERINTENDENT OF SCHOOLS,
Washington, D.C. March 10, 1959.

This is with reference to a staff telephone conversation with my office on March 9, 1959, on the question of vandalism in connection with school cafeterias. As to the question of whether there is any problem of vandalism in connection with cafeterias, the records show that cafeterias have been broken into during holidays and over weekends and food has been taken. These illegal entries are reported to the school offices as well as to the Police Department. Some of the guilty people have been apprehended. However, there is no record that such vandalism has been the result of hunger on the part of those who entered the cafeterias.

I am also submitting at this time the data requested at the hearing on the needy lunch program before the Subcommittee on Public Health, Education, Welfare, and Safety of the Senate District Committee as follows:

1. Statement from Mrs. Aleta Swingle, Director, Department of Food Services, concerning (1) the application of available Federal cash subsidies; (2) availability of statistics to support the belief that the nutritive status of a child affects his academic progress; (3) evidence to support the record that it is possible to meet the minimum nutritional requirements by serving a cold lunch; (4) number of children living near enough to school to go home for lunch but would find no one home to prepare lunch; and (5) the cost of a total elementary school lunch program.

2. Statement entitled "Details showing the number of children in the needy lunch program as of March 10, 1959, with percentage of Negro and white children indicated."

Sincerely yours,

CARL F. HANSEN,
Superintendent of Schools.

PUBLIC SCHOOLS OF THE
DISTRICT OF COLUMBIA,
DEPARTMENT OF FOOD SERVICES,
Washington, D.C., March 10, 1959.

Memorandum for: Dr. Carl F. Hansen.

Subject: Information requested by Senator MORSE on March 4 and March 6, 1959, regarding an elementary school lunch program.

1. A question was raised concerning the application of available Federal cash subsidies to the secondary schools lunch program and the elementary school milk program.

The total apportionment of funds for cash assistance under the National School Lunch Act to the District of Columbia for the 1958 fiscal year was $193,820. All of this allotment was used as shown below:

For reimbursement claims for type A lunches served in the public school cafeterias (9 cents per lunch)	$90,828.00
For reimbursement claims for type A lunches served in private schools (9 cents per lunch)	20,853.45
For type C lunches (milk only) served in elementary schools both public and parochial	82,138.55
Milk was served in mid-morning (approximately $0.008 per half pint milk)	193,820.00

The total allotment of special milk funds made by the Department of Agriculture to the District of Columbia for the 1958 fiscal year was $371,644. Disbursements made for milk served under the special milk program amounted to $341,644; $30,000 was returned to the Department of Agriculture. The details are shown below:

Public school cafeterias	$72,168.45
Private schools	3,596.36
Public and parochial elementary schools	265,610.26
Child care centers	268.93
Total amount of claims for reimbursement allowed	341,644.00
Total amount received	371,644.00
Total amount claimed	341,644.00
Balance returned to USDA	30,000.00

2. Senator MORSE asked whether or not statistics are available to support the belief that the nutritive status of a child affects his academic progress.

As of this date we have been unable to find statistical studies to substantiate this point; however, much has been written on the subject.

The statement which follows was taken from a book entitled "The School Cafeteria,"[1] written by Dr. Mary de Garmo Bryan, a leading authority in the school lunch field. Mrs. Bryan states:

"The relationship between the nutritive status of the child and his academic accomplishments has long been known. Much has been written of the scholastic benefits due to improvement of the nutrition and general health of children through good school feeding, in both city and rural communities. Recent reports by school and public health agencies here and abroad assume the association of a properly nourished body and classroom progress. Undernutrition increases nervousness and fatigue. It is a common cause of mental sluggishness and inability to concentrate with its attendant behavior problems and poor standards of work. Bodily resistance is lowered to certain types of infections and absences are increased by illness."

In an address delivered by the Honorable Shelby M. Jackson, State superintendent of public education, Baton Rouge, La., at the annual meeting of the American Association of School Administrators, St. Louis, Mo., February 24, 1958, said, in part:

"Our children and youth must have ample nutritious food at all times for it is essential to their complete development. To obtain the maximum results from the complete training we are offering them, our children and youth must be properly nourished and physically fit."

3. Evidence was requested to support the record that it is possible to meet the minimum nutritional requirements by serving a cold lunch.

The USDA minimum type A lunch requirements are as follows:

(1) One-half pint of fluid whole milk as a beverage.

(2) Two ounces (edible portion as served) of lean meat, poultry, or fish; or 2 ounces of cheese; or one egg, or one-half cup of cooked dry beans or peas; or four tablespoons of peanut butter; or an equivalent quantity of any combination of the above-listed foods. To be counted in meeting this requirement, these foods must be served in a main dish or in a main dish and one other menu item.

The USDA minimum type A lunch requirements are as follows:

(3) A three-fourth cup serving consisting of two or more vegetables or fruits, or both. Full-strength vegetable or fruit juice may be counted to meet not more than one-fourth cup of this requirement.

(4) One slice of whole-grain or enriched bread; or a serving of cornbread, biscuits, rolls, muffins, etc., made of whole-grain or enriched meal or flour.

(5) Two teaspoons of butter or fortified margarine.

Either the typical hot or cold lunch described below will meet these requirements.

Typical hot lunch: Grilled American cheese sandwich (2 ounces American cheese, two slices enriched bread, butter), mashed potatoes, three-eights cup potatoes, butter, cole slaw (three-eights cup), flavored gelatin, one-half pint milk.

Typical bag lunch: Sliced American cheese sandwich (2 ounces American cheese, two slices enriched bread, two teaspoons butter, lettuce), cole slaw (three-eight cup), fresh apple, one-half pint milk.

4. Senator MORSE asked how many children lived near enough to school to go home for lunch but would find no one home to prepare lunch. This number is estimated to be 9,746 elementary schoolchildren.

Senator MORSE also asked how many children live too far away to walk home for lunch. This number is estimated to be 8,312 elementary schoolchildren.

5. Senator MORSE asked for the cost of a total elementary school lunch program.

Preliminary estimates for instituting a total lunch program in the elementary schools and for providing for hot lunches in self-contained units in some cases and for cold lunches to be delivered from preparation centers in other cases, amounts to $2,435,274 for the initial costs and annual recurring costs amount to $1,027,006.

ALETA E. SWINGLE,
Director, Department of Food Services.

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[1] "The School Cafeteria" was published by F. S. Crofts, Inc., 1936, 1938.

Mr. MORSE. Mr. President, in defense of the contention that 7,000 children is a minimum estimate, I invite especially to the attention of the Senate the statement on pages 127 and 128 made by Dr. Hansen in response to a question from the Senator from South Dakota [Mr. CASE] to the effect that 10 percent of the children in the school surveyed were found to meet the standard for a free lunch. On page 129, again in response to further questioning, he brings out the fact:

Senator CASE. What estimate have you made, or what facts do you have, to indicate how great the need is? Is it in number, or can it be stated in percentages of total enrollment?

Dr. HANSEN. We can state it both ways. We made a survey of all the elementary schools, and asked each principal to respond to the question, how many children would fall in the three categories we have outlined here, and would represent need in terms of food at noon. The November report indicates that that number is in the magnitude of 7,134, or something like that, representing the city as a whole. This, roughly, is 1 in 10 of the total population—elementary population.

Senator CASE. And you have funds for how many?

Dr. HANSEN. We are now supplying the food to about 700 children and we expect that we'll have sufficient funds to carry this program through April, possibly May. If the money continues to come in, as it seems to be doing very well, we may be able to extend the program through the rest of the year. If money comes in additionally, we may be able to broaden the base.

Senator CASE. For the 700?

Dr. HANSEN. Yes, sir.

Senator CASE. And there are about 6,300 that you feel are not provided for?

Dr. HANSEN. That is right.

I have mentioned the Senator from South Dakota [Mr. CASE], who for many years was a member of our committee, served on other committees, and this year returned as a member of our committee. I think I would be very unappreciative of his service to the committee if I did not thank him for his assistance to me in directing the hearings.

The Senator from South Dakota has a very broad understanding of the problems of the District of Columbia, because he, too, was once chairman of the committee. I worked closely with him, and also with the Senator from Maryland [Mr. BEALL]. The Senator from South Dakota performed a great service to me in the examination he conducted during the course of the hearings.

LEGISLATIVE HISTORY

Mr. President, for the purpose of making legislative history upon this point so that it cannot be misconstrued, I wish to make it clear that my amendment "C" is for the purpose of earmarking funds for this specific purpose of the elementary free school lunch program for needy pupils. For this purpose, Mr. President, I ask unanimous consent that an exchange between Dr. Hansen and myself which can be found on pages 132 and 133 of my subcommittee hearing record be printed at this point in my statement.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

Senator MORSE. Now, my next question goes to the earmarking of funds. In the District of Columbia budget for education, at the present time, is it broken down so that only a certain amount of money can be used for a lunch program, a certain amount of money for a sports program, a certain amount of money for physical education, a certain amount of money for other expenditures?

Dr. HANSEN. I think we are pretty well restricted in the management of the budget to the use of funds for which the appropriation was intended originally. We do have some flexibility, of course, such as in the operation of different departments, physical education, music, et cetera. But no funds which would be considered specifically authorized for the purpose of reimbursing the food services department for the free lunches.

Senator MORSE. I shall be very brief on this, but I know how important it is, appropriationwise, to have a complete record on it.

On the basis of the budget limitations under which you now have to operate, do you have any discretion in deciding that X dollars shall not be used for musical instruments, or a movie projector, or a stage curtain, in A school or B school, but can be transferred, instead, to a lunch program?

Dr. HANSEN. As I understand it, we would not have the authority to transfer any existing funds to the lunchroom program. I base that upon the fact that we are asking a specific appropriation for reimbursement for free lunches at the secondary school level. This suggests that this is a necessary action.

Now, it is possible that if we had the money to spare, we could have gotten permission from the Budget Department of the District Government to make a transfer, since there was enabling legislation on the books. Generally speaking, for any new activity of this kind, especially of the major kind, we would have to depend upon additional appropriations. Otherwise, we are developing and expanding new programs at the expense of perhaps an already limited program on the other side of the ledger. So I believe I would be speaking the mind of the Board of Education on this, and the administrative staff, in stating that we want certainly, if possible, to begin this program with additional appropriations.

Senator MORSE. Is it not true that one of the reasons you went out and asked for voluntary funds, for voluntary contributions, was because you felt that there were budget restrictions which made it unwise or impossible for you to ask for any transfer funds?

Dr. HANSEN. That is correct.

Senator MORSE. This wouldn't have anything to do with the District of Columbia system, but as an old teacher myself, I would never have thought of going to the fiscal authorities of my institution and suggesting that they authorize me to transfer funds from project A to project B, because I would realize I was running the risk that they might decide that if I didn't need the funds for project A they might transfer them over to project X, outside of my school. I mention that because I don't think the solution is to provide any procedure here that wold leave this program unearmarked. I think we have just got to face up to the fact that the Congress of the United States should be asked for earmarked funds for this purpose, if you are ever going to get ahead with it. That is no reflection upon any of the government officials of the District. I know their problems, and I want to take away from them any and all discussion in this matter. I want to get the money pinpointed and earmarked to feeding hungry children. I want to get this record so clear that no one will have any doubt as to what we are asking for.

MEDICAL EVIDENCE

Mr. MORSE. Mr. President, we had medical testimony before our subcommittee to substantiate the fact that there are children who are so seriously deprived of food that they had to be admitted to hospitals. I wish to take a little time to dwell on Dr. Oppenheimer's testimony.

According to Dr. Ella Oppenheimer in 1957, 270 children were admitted to Childrens Hospital with a presumptive diagnosis of malnourishment. In 1958, I am saddened to say that number grew to 300. These obviously were the very worst cases, but I hope that we will never get to the point here in Washington that the only way for a hungry child to be fed is to go to a hospital.

"But," one may say, "that is probably quite true, Mr. Senator, but the 300 are not 7,000." I go further into Dr. Ella Oppenheimer's testimony. It is to be found upon page 154 of our hearings. This is what Dr. Oppenheimer further developed:

Dr. OPPENHEIMER. I do, however, have some fresh data which also requires further study. Currently in connection with a special study by the Bureau of Maternal and Child Health on a group of 71 presumably not ill children, an overwhelming majority of whom are known to be in the low-income groups of the population, hemoglobin determination revealed that 31 or 43.6 percent had low hemoglobin levels and 13 or 18.3 percent definitely unsatisfactory levels. These data, though limited, are suggestive, for in children the cause of such hemoglobin levels is most frequently nutritional, reflecting inadequacy of dietary intake and involving in many instances proteins, vitamins, and other minerals as well as iron.

Forty-three percent of the low-income children had low hemoglobin levels and one-fifth had definitely unsatisfactory levels. Pretty shocking testimony. Other testimony showed us—and it may be found upon page 269 of our hearing record—that—

At least 11,520 submarginal families, with their 45,775 children, are living here in the District. It appears likely that less than half the children are known to the Department of Public Welfare in either the aid to dependent children program or in the surplus food program.

Mrs. Phillip Graham made that statement in a report to the District of Columbia Regional Committee of the Health and Welfare Council of the National Capital Area. It is a responsible statement based upon the work of an expert.

Let us take this 45,775 figure and do some arithmetic. Let us divide it by 6. It comes out to be 7,628. Surely by taking the bottom one-sixth of the children from submarginal families for a free school lunch program we would not be erring in overgenerosity. We have here a third corroboration of the validity of the estimate of the Board of Education. If we apply strictly Dr. Oppenheimer's findings as being representative the number would be in excess of 9,000, instead of 7,000. Remember she found that 18.3 percent of low-income family children had definitely unsatisfactory hemoglobin levels associated with malnutrition. The school principals found that more than 7,000 children needed

a free lunch. The Huber study disclosed that we have 45,775 children in submarginal families. Of course, one of the characteristics of a submarginal family is that there is not enough food with which to feed the family. Otherwise, it would not be submarginal.

Do we need further evidence? I cite the CONGRESSIONAL RECORD at the time of the House passage of this very bill we are working on. Representative GREEN of Oregon was very disturbed over the problem and asked the House committee members about it. We have it in our committee record on pages 183 and 184. The House Appropriations Committee member who responded said that there were 7,000 children and that the $266,000 program approved by their committee would take care of one in three and one-half of those who were hungry. I confess that I do not follow the logic that lies behind the statement of feeding only a third of those children who need it, but I am sure the Senate can appreciate my amazement when I learn that the Senate Appropriations Committee plans funds for only one-sixth of the amount needed.

The answer to this astounding situation is, I am sure, that the committee, in considering the subject, did not have available to it the full picture. I can well understand that the Commissioner's testimony was given weight. But, I assure the Senate, had I realized that my rebuttal testimony before the committee was insufficient to counter the Commissioner's program, I would have gladly expanded upon it after the fashion I am following today.

I would urge upon the Senate one further thought. On the assumption that we do appropriate too much money—and I sincerely believe that the $700,000 plus the $133,000 already in the bill is not too much—and we earmark it for the sole purpose of feeding the needy elementary school child, what possibly can we lose? If the need is not there, the money will come back to the U.S. Treasury. If we find that it is insufficient—and I greatly fear this possibility—I would urge that the Commissioners submit a supplemental estimate as soon as they perceive the need.

This step will not eradicate the social evil of abject poverty in the District which is such a reproach to us. All it will do is to provide for a few of the children one square meal a day during the school year. It will not mean an automatic erasure of delinquency, but it will be a slight step toward removing one possible cause of misbehavior in the elementary schools.

All the research studies in the record of our hearings substantiate that statement. It is something we can do, it is something we ought as God-fearing Christian men and women to do.

Before I press my amendment, Mr. President, I would appeal to the distinguished Senator from Rhode Island [Mr. PASTORE] to take this amendment to conference but he has already pointed out to me that he cannot very well accept it, under his obligation, to raise a point of order against my amendment. However, given the armory of background provided by this record on the floor today, I feel sure that he will be able to convince his associates from the other body of the propriety and urgency of making an adequate provision for the poor schoolchildren who sit upon the steps hungry while more fortunate children eat lunches.

I used that statement, Mr. President, not as an emotional appeal, but because it is a paraphrase of testimony given my subcommittee by the president of the Jaynecees, who has worked as a volunteer with some of these children. The private welfare association members heard by my subcommittee testified as to the need for feeding the 7,000, as did the representatives of religious welfare groups of all denominations. PTA testimony to the same effect was taken. Labor representatives urged that we act. The Washington Post series of stories by Miss Eve Edstrom are additional evidence of the support of the community for this program. Editorials in both the Evening Star and the Washington Post have commented upon the horror of poverty in the District.

In fact, only yesterday, in the Washington Post, in the financial section, Philip Stoddard Brown wrote an article dealing with this problem. This is what he says:

> In the District alone, nearly 70,000 persons—about 1 in 12—simply do not have income to buy as much food, clothing and other essentials as is provided to relief recipients under the standards now in effect.
>
> About 1 child in 7 under 16 years of age, living in the District, is in a family whose income is below the public assistance budget standard. Many of these are hungry. They simply don't get enough to eat, as schoolteachers and welfare workers well know.

Mr. President, in the interest of saving time, I ask unanimous consent that the entire Brown article entitled "Unfair Distribution Marks Prosperity," be printed in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post, May 25, 1959]

UNFAIR DISTRIBUTION MARKS PROSPERITY

(By Philip Stoddard Brown)

The backlog of authorized building and contract awards is now so great that a high rate of construction activity throughout the summer is assured. In March and April, permits were issued for over $100 million of building in the Washington area, nearly twice as much as in the same months of last year. Permits for these 2 months alone included over 5,000 new housing units.

Employment in the Washington area is higher than ever before. Allowing for a small addition in the number of workers not covered by the monthly tally made by the U.S. Employment Service, the increase over a year ago is probably about 20,000.

Many other indicators of local business activity are also at new highs. * * *Yet, figures recently compiled by Raymond F. Clapp, a careful and experienced statistician, are a shocking reminder of how uneven the benefits of good times are—even in this most favored of large cities—and how destitute many of our neighbors are.

In the District alone, nearly 70,000 persons—about 1 in 12—simply do not have income to buy as much food, clothing, and other essentials as is provided to relief recipients under the standards now in effect.

RELIEF STANDARD IN DOLLARS

About one in three of these 70,000 persons is receiving public assistance. Some get help from relatives and friends. Some have savings to draw on. But many are without resources and assistance and are in real distress.

The relief standard is one that provides less than $40 a week for a family of four and less than $20 for one living alone. This is a standard that enables people to exist—but not much more—in an urban community where it takes a dollar to buy a pound of hamburger and a couple of quarts of milk and 40 cents for a round-trip bus fare.

About one child in seven under 16 years of age, living in the District, is in a family whose income is below the public assistance budget standard. Many of these are hungry. They simply don't get enough to eat, as schoolteachers and welfare workers well know.

DESERTION IS ENCOURAGED

If a man is unemployed or doesn't earn enough to care for his children, he may desert them. Only in this way do they become eligible for public assistance. Consequently, desertion is encouraged and the District Government has to take over the entire support of such children.

It would take only $5 million more a year to make up the deficiency of income of all District families with children, so Clapp estimates. In other words, if one-fifth of one percent of the personal income of District residents were added to what is now allotted for relief all of the 10,640 low-income families with children could be brought up to the relief standard.

Conditions have improved in the past decade. In 1949, 16.8 percent of persons were in low-income households. In 1958, by the same standard (adjusted for price changes), only 8.4 percent were low-income, as defined above.

Mr. MORSE. Mr. President, all the witnesses to whom I referred testified in our hearings in support of my statement of fact that there are at least 7,000 grade school youngsters in the District of Columbia who need a free lunch each day of school. I do not know what more I can say. I am satisfied that the RECORD answers the question of fact I raised. With that fact in existence I do not see any justification for our not providing the additional $700,000. I know the parliamentary plight of the Senator from Rhode Island, and I know my duty, too.

Mr. Lee has just called my attention to something with which I wish to conclude my argument. It is that as of March 1959, there were 13,220 children in the District of Columbia in families under the public assistance aid to dependent children program alone.

I said earlier this afternoon that a public assistance grant is not the only test. There are many children who do not come from families who are under the public assistance program but who do not have enough to eat and who do need a free lunch program.

Furthermore, there is a great program of free lunches across America, in State after State, in city after city, which Members of the Senate represent. I repeat what Senators have heard me say so many times: Is it not true that what is good enough for our children back home, ought to be recognized as a good

enough program and a deserved program for the children of voteless families in the District of Columbia?

PARLIAMENTARY ASPECTS

I now wish publicly to confess a very difficult parliamentary situation in which I find myself. So often I find myself in this difficult position, it seems to me. I am about to call for action on my amendment. The Senator from Rhode Island, typical of his fair dealing with his colleagues, has already announced that he will raise a point of order. I shall then move to suspend the rules. I shall then do what I can to get a yea and nay vote. I may be in a position then where I must work out an agreement for less. My parliamentary instincts tend to cause me to want to do some good for somebody. However, the difficulty is that I could not sleep very well at night thinking about the youngsters who might have obtained a lunch, but did not, because I had agreed to a curtailed program.

While I have been speaking, I have been thinking in the back of my mind at the same time about the question: "Should I agree to less?" My present position is that as a matter of conscience I cannot do that. I just cannot do it because I think we ought to send to the House of Representatives an appropriation for the benefit of 7,000 youngsters.

I am not Solomon. I cannot divide up the bodies of children. I am not wise enough to do it without hurting the children.

I believe my case is so good, and what I am fighting for is so sound, that I want to give the Senate at least a chance to vote for my first amendment, and then I will cross other bridges when I get to them. I ask for action on my first amendment.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. PASTORE. The last thing I would suggest would be, or even intimate in the slightest fashion whatever, that I would enter into any agreement with any Member of the Senate, particularly the distinguished Senator from Oregon, for whom I have the highest affection and admiration, which would compromise a matter of principle. The Senator has presented two amendments—as a matter of fact, he has three amendments. He has amendments C and D. Not searching out the Senator's conscience, which I would not propose in the least that he do, but looking at the situation realistically, and fully appreciating the fact that the Senator from Rhode Island in philosophy and in spirit feels as deeply about this whole matter as does the Senator from Oregon, I would hope that he would consider the good intentions of the Commissioners, fortified by the spirit imposed by the members of the subcommittee of the Committee on Appropriations; and the suggestion made by them, fortified by a further increase on the floor of the Senate, would be a substantial indication of the good intentions of the parties involved, and that we could go forward with a substantial program for feeding the children of this community, especially the children of school age.

I have been discussing the matter with the members of my subcommittee and of other members of the Committee on Appropriations who have been available to me on the floor. I have not talked with all the members of the committee.

If the Senator from Oregon could see the proposal in the light that he would not be compromising in principle, but rather that he would be giving a more direct approach to the entire serious problem of feeding the hungry schoolchildren of the community by abandoning his crusade on amendment C and resuming it on amendment D, I would be perfectly willing to accept the amendment. I would take it to conference, not because we have compromised our duty in our hearts, but because I feel that to approach the second phase after a defeat on the first phase, our hand would be weakened rather than strengthened. I would rather see the Senate unified on the whole matter of feeding the hungry children of the District of Columbia.

If the Senator from Oregon, in his heart, would join with me and with the other members of my committee in taking that substantial step forward, not as an abandonment of our crusade, but really as a step in the right direction toward doing something substantial in getting this program going, so that we may see a full realization in the near future of the overall program of which he has spoken so eloquently and so wisely this afternoon, and substitute amendment D for his amendment C, I would be perfectly willing to take it to conference. I feel that my colleagues and I would then have something for which we could fight hard, in the hope that we would not be taking the amendment to conference to lose our fight, but would be taking it there to win our fight.

Mr. MORSE. I want the Senator from Rhode Island to know what I propose to do procedurally, and to ask him a few questions about his suggestion. Then I should like to suggest the absence of a quorum, so that I may have a few minutes to discuss the matter with some of my colleagues who also, it seems to me, have parliamentary rights in the matter. Then I should like to discuss the subject also with the Senator from Rhode Island.

Is it the Senator's proposal that he would take to conference my proposed amendment D?

Mr. PASTORE. Amendment D.

Mr. MORSE. The advantage of taking that amendment to conference would be that, if adopted in conference, it would result in making available $266,000 from the Federal payment instead of $133,000?

Mr. PASTORE. Yes; that is correct.

Mr. MORSE. It would, in effect, save about 22 teacher positions?

Mr. PASTORE. It would.

Mr. MORSE. If the bill in its present form stands, even the $133,000 item would be at the expense of teacher positions?

Mr. PASTORE. I am afraid of that; yes.

Mr. MORSE. It would result in feeding 2,000 children instead of 1,000?

Mr. PASTORE. I would not want to put the number of children on that basis. It would be a beginning. It would be the first phase of what I would hope would develop very quickly on the part of the Commissioners—an overall, full, complete program for feeding hungry school children of the District. I do not want to be placed in the position of denying this program to 5,000 children for whom the Senator has so eloquently spoken this afternoon. I would not want to put it on that level at all. The recommendation of the committee plus the Senator's amendment would provide a total amount which, possibly, could be sustained in conference. Then we could go forward with a material—a substantial beginning which we would hope would bear fruit in an overall complete program in the near future.

Mr. MORSE. Please do not misunderstand me. I do not mean to put the Senator in the position of seeking to deny funds for feeding 5,000 children. I only want a factual understanding of the effects of his proposal. It would double the present program of the Commissioners, so that they could feed 2,000 children for $266,000 since they can feed 1,000 children with $133,000 according to their budget estimates.

Mr. PASTORE. They could experiment in more elementary schools. They could get a broader picture of the overall program.

Those in charge of the program have stated to the committee that there are so many intricacies and ramifications involved in the whole matter of instituting the program and carrying it out that they would rather go slowly. That would at least indicate to Congress that they are aware of the need for an overall program. We can say that this is the pattern for next year, and that in the year following the Commissioners should submit a complete program. As the Senator from Oregon has so eloquently said, if such a program is good enough for 1,000 children, it must be good enough for all hungry children. I do not know whether that figure is 7,000 or 14,000. It could be 20,000. If we are obliged in good conscience to feed one hungry child in this community, by the same token we have an obligation to feed all of them.

Mr. MORSE. The Senator is correct. That is the burden of my argument.

The last point the Senator from Rhode Island makes in support of the proposal to take my amendment D to conference is that he feels it would strengthen his hand in conference with the House because he would go there without any vote record on any other phase of this problem which might be adverse to the position taken by the Senator from Oregon this afternoon.

Mr. PASTORE. That is correct—not adverse in the sense that in the subcommittee the principle would lose its power; but adverse considering the mechanics which are involved—the fiscal situation of the District of Columbia, plus the fact that the proposal was not presented as an amendment before the committee, and did not go before the House as such. It is a complete program as suggested

by the Senator from Oregon. It may be resented by some because it did not originate in the House. Therefore, we would be accepting a figure which is reasonable after a full record has been made, with the strong possibility that we would come out whole, and with the stronger hope that within the very near future there would be an overall, complete program.

Mr. MORSE. If I were back teaching a course in legislation, this colloquy would be required reading when one came to the subject of the procedure to compromise in the passage of legislation. I think we are now having a very interesting colloquy. It puts the question right up to each Senator as to how far he can justify his going along with a good-conscience, well-intentioned, sincere offer of a compromise seeking to resolve an area of disagreement into one of agreement on something between a committee, on the one hand, and those of us who oppose the recommendation of the committee, on the other.

Before I suggest the absence of a quorum, I want the Senator from Rhode Island to understand the position in which I find myself. I simply do not know what the vote is likely to be on my motion to suspend the rule. I would not make that statement if more Senators had been listening to the debate, because I think the merits are on my side.

Yet it raises the question of parliamentary tactics, whether I should play for time, as we say, and seek to follow a course of action which would have the matter go over until Thursday, so that Senators could read the record which has been made today.

Furthermore, I do not know how I can handle the criticism which might arise. I do not worry about unwarranted criticism; I refer to the well-intentioned criticism of some persons who might very well say, "We counted on you to make the fight for an adequate program, and not to accept less." I know full well that if I make a fight for an adequate program, I may lose everything.

I have great difficulty in trying to explain away the discrimination phase of any settlement which would provide a lunch program for less than the entire 7,000 needy children.

So if the Senator from Rhode Island will bear with me until I can confer with some of my associates on this matter, I should like to suggest the absence of a quorum.

Mr. PASTORE. First, let me say that I do not engage in trading. I assure the Senator from Oregon, for whom I have the highest respect and affection, that if I favored his amendment "D" or his amendment "C", I would accept it, no matter what happened to any other proposal. I do not engage in bargaining operations.

Mr. MORSE. I completely understand that the Senator from Rhode Island is not and would not.

Mr. PASTORE. But my position is that I do not want this appropriation item to be handled in such a way that the distinguished Senator from Oregon will have to take his chances on having either the larger of the amounts he has proposed or nothing at all appropriated.

I repeat that if I believe in amendment "D", I believe in it regardless of what may happen to amendment "C". Certainly we must not bargain in connection with matters which affect hungry school children.

Mr. MORSE. Certainly the Senator from Rhode Island is correct; and I did not mean to imply that he was attempting to engage in a bargaining operation.

Mr. PASTORE. Of course we must not bargain on that point.

My position is that I hope the Senator from Oregon will not insist that the question come on providing either the larger of the amounts he proposes or nothing at all for these needy school children.

Mr. MORSE. I understand that; and I have covered that point.

Mr. President, let me make crystal clear that I am not suggesting that the Senator from Rhode Island is proposing that I enter into a compromise in regard to either amendment "D" or my amendment "C".

Mr. PASTORE. That is correct.

Mr. MORSE. I did not mean to imply that any such proposal had been made. I hope the RECORD will show that I made that clear, in listing the various points which I understand represent his point of view in regard to the advantages of taking my amendment "D" to conference. I refer to the point the Senator from Rhode Island made just now—namely, that he would be willing to take my amendment "D" to conference; and that in the conference, that amendment, regardless of any other amendment, would strengthen his hand there.

Of course my great respect for the Senator from Rhode Island is such that I would not wish to do anything which would weaken his position in conference, if I could possibly avoid doing so. That is why I wish to give consideration to the views of my associates on this proposal, before I make a decision; and that is why I should like to suggest the absence of a quorum.

Therefore, Mr. President, I now suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. MCNAMARA in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HART. Mr. President, I wish to make a brief statement, and I ask unanimous consent that it may be printed in the RECORD immediately following the conclusion of the remarks of the Senator from Oregon.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Michigan? The Chair hears none, and it is so ordered.

Mr. HART. Mr. President, as a new Member of the Senate I am not surprised that I find it difficult to determine what the proper minimum of ground force strength of the Army should be. I am not quite clear what we ought to do in Berlin when the date for decision arrives. I have some uncertainty about our attack on the moon. However, I was delighted to listen to the senior Senator from Oregon describe something which I think all of us can understand—7,000 children in the District of Columbia who go to school and who, as a very minimum, represent children who are hungry.

I commend the senior Senator from Oregon for his fight. I would support the amendment. I would support the Senator in his parliamentary maneuver. I trust that on this question others in the Senate will find it as simple to resolve as the junior Senator from Michigan, who welcomes, at long last, a simple question.

ORDER FOR ADJOURNMENT TO 10 O'CLOCK A.M. ON THURSDAY NEXT

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate concludes its business today, it convene at 10 a.m. on Thursday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

LIMITATION OF DEBATE ON DISTRICT OF COLUMBIA APPROPRIATION BILL

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that at the conclusion of the morning business on Thursday, the District of Columbia appropriation bill be laid before the Senate, and that there be allowed not to exceed 30 minutes on amendments, the time to be equally divided, and that there be a limitation of 1 hour on the bill, to be equally divided.

The PRESIDING OFFICER. Is there objection?

Mr. JOHNSTON of South Carolina. Mr. President, I should like to know if at 10 o'clock the Senate would proceed with the bill.

The PRESIDING OFFICER. The proposal is that the Senate resume consideration of the District of Columbia appropriation bill right after the conclusion of the morning business.

Mr. JOHNSTON of South Carolina. That means it will take 1 hour or 1 hour and one-half before the bill is concluded.

Mr. JOHNSON of Texas. I hope not. I hope there is nothing but the Morse amendment at stake. I hope that amendment can be handled by agreement sometime tomorrow, after the Senator from Oregon can talk to his colleagues. By getting a limitation of debate agreement, we can get the Post Office and Treasury appropriation bill before the Senate earlier. We cannot dispose of it today.

Mr. PASTORE. Mr. President, reserving the right to object, the amendments which have been laid before the Senate are subject to a point of order. If the unanimous consent agreement which has been proposed were entered into, would the right to raise the point of order be preserved?

The PRESIDING OFFICER. The Chair wishes to state to the Senator that the right to raise the point of order would be preserved.

Mr. PASTORE. I have no objection.

The PRESIDING OFFICER. Is there objection to the unanimous consent request? The Chair hears none, and the agreement is entered.

REGULATION AND FIXING OF WAGE RATES AT PORTSMOUTH, N. H., NAVAL SHIPYARD

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Order No. 293, Senate bill 19.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 19) to provide a method for regulating and fixing wage rates for employees of Portsmouth, N. H., Naval Shipyard.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas?

There being no objection, the Senate proceeded to consider the bill.

Mr. JOHNSON of Texas. Mr. President, this bill has been previously considered by the Senate. I think most Members of the Senate are thoroughly familiar with it. The distinguished Senator from Maine [Mrs. SMITH] has reported it from the Committee on Armed Services, and I yield to her to make a brief statement, if she cares to, at this time.

Mrs. SMITH. Mr. President, the pending bill would require that the Secretary of the Navy establish the hourly rates of pay for all per diem employees of the Portsmouth, N.H., Naval Shipyard at the some hourly rates paid to employees of similar classification at the Boston, Mass., Naval Shipyard.

There was no opposition to the bill in committee. It was unanimously agreed to. It was passed twice by the Senate last year. I urge that the bill be approved.

Mr. DOUGLAS. Mr. President, I endorse what the very able senior Senator from Maine has said. She conducted a very brave struggle, in the face of opposition by the administration, for justice for the workers in the Portsmouth, N.H., shipyard, which also serves Kittery, Maine.

Mr. President, she deserves a great deal of credit for what she has done. She has done it against the opposition of the Eisenhower administration. I think we on our side of the aisle should, and will, give her our most hearty support in checking the naval bureaucracy which has been riding roughshod not only over the wishes of the senior Senator from Maine, but over the just claims of the workers in the Portsmouth Naval Shipyard, a large percentage of whom are residents of the State which the senior Senator from Maine represents so well here in the Senate.

Mrs. SMITH. Mr. President, I thank the senior Senator from Illinois very much.

The PRESIDING OFFICER. The bill is open to amendment.

If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 19) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy shall establish the hourly rates of pay for all per diem employees employed at the Portsmouth, New Hampshire, Naval Shipyard at the same hourly rates as are paid to employees of similar classification resulting from area wage survey applicable to employees of the Boston, Massachusetts, Naval Shipyard.

SEC. 2. This Act shall take effect on the first day of the first pay period which begins after the date of enactment of this Act.

Mr. JOHNSON of Texas. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. DIRKSEN. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. Is there further business to come before the Senate?

DISTRICT OF COLUMBIA APPROPRIATION ACT, 1960

Mr. JOHNSON of Texas. Mr. President, I move that the Senate resume the consideration of Calendar No. 291, H.R. 5676.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate resumed the consideration of the bill (H.R. 5676) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1960, and for other purposes.

FUNERAL SERVICES FOR THE LATE SECRETARY DULLES

Mr. DIRKSEN. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a statement relating to funeral services for the late Secretary Dulles, to be held on Wednesday, May 27, 1959.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

FUNERAL SERVICES OF THE LATE SECRETARY DULLES ON WEDNESDAY, MAY 27, 1959

The Army will furnish the Senate automobiles for the use of Senators and their wives only to attend the funeral. Please notify my office if you will attend, so we will have a sufficient number of vehicles available.

Cars will arrive at the Senate wing steps at 1 and will depart in procession at 1:15 sharp, accompanied by motorcycle escort.

Senators and wives are requested to bring the tickets sent them through the mail.

Those not desiring to attend the interment will be brought back to the Capitol from the Cathedral.

JOSEPH C. DUKE,
Sergeant at Arms.

OUTLINE OF SERVICES

Upon arrival of Senators and their wives at the cathedral they will be seated to the left of the center aisle as they walk into the Cathedral through the door facing Wisconsin Avenue.

In leaving the church there is, of course, a definite order of departure, and the order of departure will be: The National Color Detail, the clergy, the casket, the personal flag bearer, the family, the President, and Vice President, the mortician, and then Senators and their wives.

When the procession reaches the Arlington Memorial Gate there will be a regular ceremony transferring the casket from the hearse to the caisson. At that time no one should get out of the vehicles. There will be one officer representing everyone there and he will render all honors. This ceremony will probably take about 10 to 15 minutes at the gate.

Following the ceremony at the memorial gate the procession will then proceed in its already arranged order and the cars will follow behind the caisson and the military escort until they reach the graveside. At the graveside again there will be a ceremony which will take about 20 minutes. Everyone then is invited to gather near the graveside. There is no order as to how they go to the grave.

ADJOURNMENT TO 10 A.M. THURSDAY

Mr. JOHNSON of Texas. Mr. President, as a further mark of respect to the memory of the deceased former Secretary of State, the Honorable John Foster Dulles, I move that the Senate stand adjourned, under the order previously entered, until 10 o'clock a.m. on Thursday next.

The motion was unanimously agreed to; and (at 5 o'clock and 22 minutes p.m.) the Senate adjourned in accordance with the terms of Senate Resolution 124, as a further mark of respect to the memory of former Secretary of State John Foster Dulles, until Thursday, May 28, 1959, at 10 a.m.

NOMINATION

Executive nomination received by the Senate May 26, 1959:

U.S. DISTRICT JUDGE

Charles L. Powell, of Washington, to be U.S. district judge for the eastern district of Washington, vice Sam M. Driver, deceased.

HOUSE OF REPRESENTATIVES

TUESDAY, MAY 26, 1959

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Psalm 33: 12: *Blessed is the nation whose God is the Lord; and the people whom He hath chosen for His own inheritance.*

Most merciful and gracious God, in these days of crises and confusion, may we have a faith that is calm and courageous, a hope that is invulnerable and invincible and a love that never fails nor falters.

We humbly acknowledge that our plans and purposes, our efforts and endeavors for a nobler civilization will be futile and fruitless unless Thou dost gird us with Thy divine wisdom and strength.

May our President, our Speaker, and our chosen Representatives be used by Thee in promoting the cohesive spirit of understanding and good will among all the members of the human family.

Hear us in Christ's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Ratchford, one of his secretaries.

FALSE CLAIM EXPOSED REGARDING MISSILE NOSE-CONE DEVELOPMENT

Mr. ANDERSON of Montana. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. ANDERSON of Montana. Mr. Speaker, I have recently noted flagrant claims by the Air Force and two of its contractors, that they have discovered the principle of the "ablation" nose cone and are now using that principle in the manufacture of nose cones for ICBM's. This "discovery" appears to be both costly and unnecessary since the ablation type nose cone has been successfully used by the United States since 1957 and a nose cone of this material that made a flight of hundreds of miles through space and successfully reentered the atmosphere in August 1957 now reposes in the Smithsonian Institution. The technical details and designs for this ablation nose cone were given to all military services and authorized contractors working on the reentry problem as it became available. I also recall occasions in 1958 when full scale ablation type nose cones for the Jupiter IRBM were fired to the full range of the missile and successfully recovered. At the same time that this information was available the Air Force was spending hundreds of millions of dollars for the development and production of heat sink nose cones that they, the Air Force, now consider inferior to the ablation type. During this same period the Air Force stated to at least one congressional committee that they considered the ablation nose cone a "fraud." The Air Force must stop this costly and unnecessary duplication of effort in order to prove their individual capabilities in the missile field.

It is this attitude on the part of the Air Force that is responsible for the present Nike-Hercules-Bomarc controversy.

REORGANIZATION ACT OF 1949

Mr. TRIMBLE, from the Committee on Rules, reported the following privileged resolution (H. Res. 276, Rept. No. 385), which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 5140) to further amend the Reorganization Act of 1949, as amended, so that such Act will apply to reorganization plans transmitted to the Congress at any time in conformity with the provisions of the Act. After general debate, which shall be confined to the bill, and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Government Operations, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

NATO MILITARY DEFENSIVE STRENGTH—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, together with the accompanying papers, referred to the Joint Committee on Atomic Energy:

To the Congress of the United States:

In December 1957 the Heads of Government of the nations members of the North Atlantic Treaty Organization reached agreement in principle on the desirability of achieving the most effective pattern of NATO military defensive strength, taking into account the most recent developments in weapons and techniques. In enunciating this agreement in principle the Heads of Government made it clear that this decision was the result of the fact that the Soviet leaders, while preventing a general disarmament agreement, had left no doubt that the most modern and destructive weapons of all kinds were being introduced into the Soviet armed forces. The introduction of modern weapons into NATO forces should be no cause for concern on the part of other countries, since NATO is purely a defensive alliance.

It is our conviction and the conviction of our NATO allies that the introduction into NATO defenses of the most modern weapons available is essential in maintaining the strength necessary to the alliance. Any alliance depends in the last analysis upon the sense of shared mutual interests among its members, and by sharing with our allies certain training information we are demonstrating concretely our sense of partnership in NATO's defensive planning. Failure on our part to contribute to the improvement of the state of operational readiness of the forces of other members of NATO will only encourage the Soviet Union to believe that it can eventually succeed in its goal of destroying NATO's effectiveness.

To facilitate the necessary cooperation on our part, legislation amending the Atomic Energy Act of 1954 was enacted during the last session of the Congress. Pursuant to that legislation agreements for cooperation have recently been concluded with three of our NATO partners; all of these agreements are designed to implement in important respects the agreed NATO program. These agreements will enable the United States to cooperate effectively in mutual defense planning with these nations and in the training of their respective NATO forces in order that, if an attack on NATO should occur, under the direction of the Supreme . llied Commander for Europe these forces could effectively use nuclear weapons in their defense.

These agreements represent only a portion of the work necessary for complete implementation of the decision taken by the North Atlantic Treaty Organization in December 1957. I anticipate the conclusion of similar agreements for cooperation with certain other NATO nations as the alliance's defensive planning continues.

Pursuant to the Atomic Energy Act of 1954, as amended, I am submitting to each House of the Congress an authoritative copy of three agreements, one with the Federal Republic of Germany, one with the Kingdom of the Netherlands, and one with the Government of Turkey. I am also transmitting a copy of the Secretary of State's letter accompanying authoritative copies of the signed agreements, a copy of three joint letters from the Secretary of Defense and the Chairman of the Atomic Energy Commission recommending my approval of these documents, and copies of my memoranda in reply thereto setting forth my approval.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *May 26, 1959.*

USE OF ATOMIC ENERGY FOR MUTUAL DEFENSE—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, together with the accompanying papers referred to the Joint Committee on Atomic Energy.

To the Congress of the United States:

Pursuant to the Atomic Energy Act of 1954, as amended, I am submitting herewith to each House of the Congress an authoritative copy of an Agreement Between the Government of the United States of America and the Government of Canada for Cooperation on the Uses of Atomic Energy for Mutual Defense Purposes. The agreement was signed in Washington on May 22, 1959, by the Acting Secretary of State on behalf of the Government of the United States and the Ambassador of Canada to the United States on behalf of the Government of Canada.

Proceeding from the authority contained in Public Law 85–479 approved by the President July 2, 1958, which amended the Atomic Energy Act of 1954,

the agreement was negotiated for the purpose of advancing the extent of cooperation between the two countries in their common defense, particularly in the vital field of the military applications of atomic energy.

The agreement is predicated on the determination that the common defense and security of the United States and Canada will be advanced by the cooperation envisaged therein, and takes into account that our countries are participating together in an international defense arrangement. The exchanges of information and transfers of equipment provided for in the agreement will substantially contribute to the capability of the United States and Canada to meet their mutual defensive responsibilities already closely shared.

I am also transmitting a copy of the Acting Secretary of State's letter accompanying authoritative copies of the signed agreement, a copy of a joint letter from the Secretary of Defense and the Chairman of the Atomic Energy Commission recommending my approval of this agreement, and a copy of my memorandum in reply thereto setting forth my approval.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *May 26, 1959.*

CALL OF THE HOUSE

Mr. BOW. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently no quorum is present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 53]

Avery	Green, Oreg.	Norrell
Betts	Healey	O'Konski
Bowles	Hiestand	Perkins
Bray	Holland	Powell
Brewster	Jackson	Preston
Canfield	Jarman	Reece, Tenn.
Casey	Johnson, Md.	Rivers, S.C.
Celler	Jones, Mo.	Santangelo
Chelf	Karth	Saylor
Clark	Kilburn	Sheppard
Curtis, Mass.	Kluczynski	Siler
Dorn, N.Y.	Lafore	Spence
Downing	Laird	Taylor
Flynn	Landrum	Tollefson
Fogarty	McMillan	Watts
Frelinghuysen	Mason	Wharton
Garmatz	Moeller	Winstead
Glenn	Moore	Withrow
Grant	Nix	Zelenko

The SPEAKER. On this rollcall, 376 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

DEPARTMENTS OF STATE AND JUSTICE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATION BILL, FISCAL YEAR 1960

Mr. ROONEY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 7343) making appropriations for the Departments of State and Justice, the judiciary, and related agencies for the fiscal year ending June 30, 1960, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H.R. 7343, with Mr. THORNBERRY in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday there was pending the amendment of the gentleman from Illinois [Mr. GRAY] on which a point of order had been reserved by the gentleman from New York [Mr. ROONEY].

Without objection, the Clerk will again report the amendment of the gentleman from Illinois.

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. GRAY: On page 19, line 20, immediately preceding "For" insert the following: "For construction of a maximum security institution on a site to be selected by the Attorney General, $2,000,000."

The CHAIRMAN. Does the gentleman from New York insist on his point of order?

Mr. ROONEY. Mr. Chairman, having had an opportunity to examine the precedents in regard to the present situation, I withdraw the point of order at this time.

The CHAIRMAN. The gentleman from New York withdraws his point of order.

Mr. BOW. Mr. Chairman, I rise in opposition to the amendment.

Mr. ROONEY. Mr. Chairman, will the gentleman yield?

Mr. BOW. I yield.

Mr. ROONEY. Mr. Chairman, I ask unanimous consent that all debate on the pending amendment and all amendments thereto close in 20 minutes, the last 5 minutes to be reserved to the committee.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BOW. Mr. Chairman, I should like to point out to the Committee what the subcommittee has done on this question of the prisons. This bill includes the full amount requested for the operation of the prisons of $41,600,000. I consider that the amendment that the gentleman from Illinois has submitted is a very important one, but I think the whole picture should be shown here. As I have said, the committee has recommended in this bill $41,600,000 which is the full amount of the budget request less the $9 million for the new maximum security institution. This $41,600,000 is for the maintenance and operation of 32 institutions in the United States and the 5 jails and 1 camp in Alaska.

The amount allowed is $3,156,000 over the amount appropriated for the same purpose in the last fiscal year. This provides for the reactivation and full operation of the Federal correctional institution at Sandstone, Minn., beginning July 1959. With the operation of this prison at Sandstone, Minn., there will be an additional population there of 600 or more prisoners which will relieve some of the crowding in the other prisons. In addition, there is a new camp at Safford, Ariz. We appropriated funds for that last year. This year there will be a new camp activated in South Carolina with a capacity of 200 prisoners. I submit, Mr. Chairman, that the subcommittee has recognized the need for these additional facilities at Sandstone and has appropriated the money for them, and also for the camps. We believe that the amounts appropriated here are sufficient to carry on at least for the next fiscal year.

Mr. GRAY. Mr. Chairman, will the gentleman yield?

Mr. BOW. I yield.

Mr. GRAY. I am sure the Committee appreciates the remarks of the distinguished gentleman who has made a great contribution as a member of this committee and in the Congress, but I would like to call your attention to page 26 of the hearings, if I may. The Attorney General testified before your committee in April of this year. I would like to quote his testimony. The Attorney General said:

Reactivation of the Sandstone facility and establishment of the new camps at Safford, Ariz., and Greenville, S.C., will partially correct the overcrowded conditions in the minimum and medium custody-type institutions. The penitentiaries handling the more dangerous and assaultive long-termers will, however, be afforded no relief since all those who could be transferred to camps and farms have already been moved out to make room for the increasing number of bank robbers, kidnapers, and racketeers being committed by the courts.

Mr. BOW. As the gentleman well knows, he has had time to speak on his amendment. But, since he has referred to this statement by the Attorney General, may I say that while what the gentleman has quoted here from the Attorney General is true, some of these prisoners will be moved. However, on the basis of the testimony before the committee, we believe it justified leaving this out for this year because the reactivation of these camps will mean that some of the less dangerous criminals will be moved from the maximum security prisons into those camps to make room for the more dangerous prisoners.

Mr. GRAY. Will the gentleman yield further?

Mr. BOW. I am sorry but I must decline to yield further since the gentleman has had time of his own. But, I should like to submit to the House that with this amount of $41,600,000 for the Federal prisons this year and the creation of a new prison at Sandstone with a capacity of 600 there and a capacity of 200 in another place, we have, I believe, given a sufficient amount of money this year to meet the needs and, furthermore, we certainly can consider the new maximum security prison next year.

The CHAIRMAN. The gentlewoman from Illinois [Mrs. CHURCH] is recognized for a minute and a half.

Mrs. CHURCH. Mr. Chairman, I very much favor the amendment offered by the gentleman from Illinois [Mr. GRAY].

I believe that no one in the House has manifested or expressed greater desire for economy than I; and I would not support this amendment, or urge others to support it, if the amount contained therein had not been actually recommended by the Bureau of the Budget; and also by the Department of Justice. The administration favored this project and supported an amount, I believe, almost five times the sum—$9,875,000 in fact—now asked by this amendment.

I hope very much that the committee will vote for the amendment; and I want to say to the gentleman from Illinois that I would like to have added to his time, any part left of my minute and a half.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. YATES] for a minute and a half.

Mr. YATES. May I be recognized following the gentleman from Illinois [Mr. MACK]?

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. MACK].

Mr. MACK of Illinois. Mr. Chairman, I am very familiar with the problem confronting us today. I introduced a similar amendment to the appropriation bill 3 years ago. I understand this request for a prison was first made by the Bureau of Prisons some 7 years ago. It has been included in the budget request for the last 3 years but has never been included by the House committee. I have before me today a copy of the report. In the report the committee has stated that they have included all of the appropriations for the Bureau of Prisons with the exception of this facility, and they have given no excuse for not including this Federal maximum security prison in this appropriation.

In my humble opinion there is no valid reason for its not being included. We have not built a new Federal institution of the maximum security type for 57 years. Alcatraz is 90 years old and it is high time that we provided the facilities that the Bureau of Prisons say they need to maintain this magnificent record of no riots and no major difficulty in any of the Federal institutions.

I am hoping that the committee will support the amendment offered by my colleague. I think we should have this prison in order to maintain the fine record of the Federal Bureau of Prisons. We have the finest prison system in the world. Let's keep it that way.

The CHAIRMAN. The gentleman from Virginia [Mr. JENNINGS] is recognized for 1½ minutes.

(By unanimous consent, Mr. JENNINGS of Virginia, Mr. YATES of Illinois, and Mr. COAD of Iowa yielded their time to Mr. GRAY.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. GRAY] for 6 minutes.

Mr. GRAY. Mr. Chairman, I appreciate the opportunity once again to bring to you and my colleagues this most important subject. When the Committee arose on yesterday we had discussed the great need for constructing a maximum security Federal prison. I presented to you on yesterday many statements including one from the great Director of the United States Bureau of Prisons, Mr. James V. Bennett, who has dedicated his life to taking care of criminals incarcerated in Federal penitentiaries under laws passed by this Congress.

I told the Committee on yesterday from the testimony of Mr. Bennett and others that we are facing a dangerous situation this very hour, a threat to the American people of riots.

You say it cannot happen. I have here before me, and I showed them to you yesterday, four clippings from newspapers in my district published in the past 30 days:

"Rioting Convicts Hold 23 Hostages; Threaten Death."

"Troops Storm Prison and Free Hostages."

"Convicts To Kill Hostages if Troops Rush Montana Prison."

"Troops Riot in Tennessee."

That has happened in the past 30 days and it can be repeated any time.

You have been told of the capacity of the Federal penitentiaries in the United States. That means the number of prisoners we can safely handle.

Over here you have in red the number of prisoners on hand (pointing to chart). We had in 1955 an excess of prisoners. That means putting a hardened criminal in the same cell with a first offender. In 1957 we had the same capacity, more prisoners. Over here we have the same capacity, with the exception of Sandstone, Minn., that the gentleman from Ohio pointed out is going to be reactivated. Incidentally, the Sandstone, Minn., prison does not even have a wall around it. How can it be considered a maximum security penitentiary? We still have over 3,000 prisoners with no safe place to put them.

If my amendment is adopted and construction starts tomorrow, it will take 3 years to build this institution, and by 1963, including the Sandstone capacity, which will be pointed out by the chairman of the subcommittee, Mr. ROONEY, we will have twice as many prisoners as we have places to put them.

What happens when you put five or six bank robbers, rapists and hardened criminals in the same cell with some young man from your town who steals an automobile and takes it across the State line? He serves a year while he is incarcerated with these hardened criminals. He gets out and the next time he robs a bank, then he kills one of your merchants.

This is an important situation. I am not asking you to appropriate this $2 million just to help my district or someone else's district. I am telling you that the director of the U.S. Bureau of Prisons, the Attorney General, the President of the United States, and everyone else has pleaded with the Congress on four different occasions for money to construct this institution. I can tell you the main reason why this has not been done, but I am not going to indulge in personalities.

The challenge is upon us. If we have a riot who are they going to blame? They are going to blame the Congress of the United States because they came down here on four separate occasions and said: "We not only need this but it is imperative that we have this new prison built as soon as possible.

I pointed out the statement of members of the Judiciary Committee on the Senate side who personally inspected the Federal institutions and came back and issued a unanimous report, of all the Republicans and Democrats on the committee, saying that it is an imperative situation. It is critical. We must build this maximum security institution.

The gentleman from New York is going to tell you that Sandstone, Minn., will be reactivated. He could tell you that there are other prison camps throughout the United States, including a Federal Army camp, that can be reactivated; but those are not maximum security penitentiaries. As I said before the Sandstone institution does not even have a wall around it.

You have heard about the Jackson case in Virginia where two little babies and their parents were killed. If that man is caught, do you want to send him to Sandstone, Minn., where they do not have a wall around the institution? That is what they are going to ask you to do by defeating this amendment. They will tell you that the committee has been generous, they are going to tell you that a camp out in California may be made available, but again I repeat, they are not maximum security penitentiaries and they will not hold these bank robbers, murderers, dope peddlers, these hardened criminals. That is all in the testimony. Anyone who will read this testimony will not have any doubt in their mind but what this prison is not only needed but if it is not provided we are facing the danger of a major riot.

Mr. HOFFMAN of Illinois. Mr. Chairman, will the gentleman yield?

Mr. GRAY. I yield to the gentleman from Illinois.

Mr. HOFFMAN of Illinois. I want to point out one thing. The gentleman has already pointed it out. They are going to take them against their good judgment from some of these maximum security institutions and put them into other camps. We are going to have people in these other camps who will escape, causing damage and loss of life. I think it is very imperative that we get maximum security institutions that will hold all the people who should be in them as soon as possible. I am very much for the amendment.

Mr. GRAY. I thank the gentleman and I might point out that he is a former sheriff. He knows a lot about criminology, he knows all about these penal institutions.

Mr. Chairman, I ask that my amendment be adopted and I guarantee you will be taking a safe course.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. O'BRIEN].

Mr. O'BRIEN of Illinois. Mr. Chairman, I very seldom take the well of the House, but this matter is so important to me that I could not let this opportunity go by without saying a word on it. Here is a piece of legislation that the Bureau of Prisons recommends. Jim

Bennett, one of the finest men that I have ever known, has recommended this legislation. The Bureau of the Budget has also recommended this legislation. And, as a former sheriff I know this prison is badly needed, and it rather embarrassing for Jim Bennett to ask for a prison that is badly needed and also have the Bureau of the Budget recommend an appropriation for same only to have this Committee ignore their request. Some day there will be a prison break and people will be killed and I, for one, do not want to be responsible for that.

Mr. Chairman, I am for this amendment.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. ROONEY].

Mr. ROONEY. Mr. Chairman, I have the greatest respect and admiration for my distinguished friend, the gentleman from Illinois [Mr. GRAY], the author of the pending amendment. He has worked hard on this proposition, and I know that in doing so he feels he is doing the proper thing in the best interests of the people of his congressional district, because he has unfortunately wide unemployment in his area in southern Illinois. But, that is not the issue here. This prison may very well never be located in the State of Illinois; not alone in Mr. GRAY'S congressional district, because the Bureau of Prisons of the Department of Justice will not tell the Congress exactly where they will locate the proposed new institution. Of the half dozen sites that have been investigated by the Bureau of Prisons, we find that one of them is in Kentucky and two of them are in Missouri.

Now, let us get to the issue: the question of whether or not the American taxpayers need a new prison. It appears that we are having a few little snowflakes cast in our eyes here today, because the pending amendment carries an amount of only $2 million, and everybody knows that the new prison would cost $10 million, and in order for the Bureau of Prisons to proceed with it, they would have to have the money at the present time, not next year.

Now, the matter of individual cells has been mentioned by my distinguished friend from Illinois. Let me say that I have sent many a rapist and murderer to State's prison, but I never contemplated that he had to have an individual cell or an individual bed. As far as I am concerned, if officers in the U.S. Coast Guard at sea in a Government vessel have to sleep in tiered bunks, I do not see why these rapists and murderers that he talks about have to be given an individual cell with an individual bed.

The committee believes that there are enough facilities to take care of the prison population. At the present time, and in the present system, Alcatraz is away below normal capacity. There are 270 prisoners in Alcatraz, which has a normal capacity of 336 prisoners. At Chillicothe, Ohio, there are 1,198 prisoners and they have a normal capacity of 1,451 prisoners. The reformatory at El Reno, Okla., is 138 below capacity. The same situation applies in regard to Springfield, Englewood, Florence, Montgomery, and Tucson present installations.

Now, in order to amply take care of the needs of the Federal prison system, the Committee on Appropriations has brought to the floor for your consideration a bill containing an increase of almost $11 million for the Department of Justice, 55 percent or $6,056,000 of which is for the Bureau of Prisons. The committee has allowed every other single request for the Bureau of Prisons, 100 cents on the dollar, other than in regard to this expensive new institution, the location of which they will not divulge. The committee has provided in this bill alone almost $2 million to reactivate a modern prison, a building newer than the New House Office Building, at Sandstone, Minn., with a capacity of at least 600 prisoners, which will be in full operation on July 1. Some inmates are already there. We have allowed funds for a new prison camp at Safford, Ariz., with a capacity of 250 prisoners. In addition to that, we have allowed funds for a new camp in South Carolina with a capacity of 200 prisoners. Then lo and behold, we came across this, and this was not given to us by the Department of Justice or by the Bureau of Prisons. We happened to learn of it ourselves and have it right here in writing. At the present time there are negotiations well underway, unknown to the Congress or to the Committees on Appropriations, to take over certain military permanent-type disciplinary barracks.

I am now referring to permanent prison buildings. These are not cantonments or hastily constructed buildings; these are permanent disciplinary military barracks at Lompoc, Calif. The Bureau of Prisons proposes to take over these disciplinary barracks, these permanent buildings, and they will have a capacity for 1,345 additional prisoners. Now, if with all of these new installations which will accommodate at least 2,395 additional prisoners, they are not able to take care of our prison population, I just do not know where we stand. Must we have a brandnew single-cell one-bed accommodation for the rapist and murderer the gentleman talks about?

I am going to show you the elaborate highly expensive program that they have in mind in regard to Federal prisons. They want a new western youth center; they want a new set of juvenile institutions; they want a new eastern youth center; they want a new west coast penitentiary; they want a neuropsychiatric center for Federal prisoners, a west coast institution for women, a new medium custody institution and a detention jail in Chicago. These are their plans as set forth in their elaborate brochure. I think we can do without a good part of this program for our rapists and murderers—to provide them with brandnew buildings, furniture, dining hall and accommodations—until the budget is balanced; inflation stemmed and the national debt reduced.

It may be interesting to note that the prison proposed to be constructed by the terms of the amendment of the gentleman from Illinois is supposed to be for maximum custody prisoners. As of January 29, 1959, there were in the following U.S. penitentiaries, maximum custody institutions, 1,049 minimum custody prisoners, as follows: Atlanta, 124; Leavenworth, 212; Lewisburg, 266; McNeil Island, 235; and at Terre Haute, 212. And among these minimum custody prisoners were bootleggers, violators of the immigration laws, clean-cut gentlemen forgers and embezzlers, and violators of the Selective Service Act.

Mr. Chairman, I suggest in the interest of economy this amendment should be voted down.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from Illinois, [Mr. GRAY].

The question was taken; and on a division (demanded by Mr. ROONEY) there were—ayes 127, noes 49.

So the amendment was agreed to.

The Clerk read as follows:

TITLE IV—RELATED AGENCIES

United States Information Agency

Salaries and Expenses

For expenses necessary to enable the United States Information Agency, as authorized by Reorganization Plan Numbered 8 of 1953, and the United States Information and Educational Exchange Act, as amended (22 U.S.C. 1431 et seq.), to carry out international information activities, including employment, without regard to the civil service and classification laws, of (1) persons on a temporary basis (not to exceed $120,000), (2) aliens within the United States, and (3) aliens abroad for service in the United States relating to the translation or narration of colloquial speech in foreign languages (such aliens to be investigated for such employment in accordance with procedures established by the Secretary of State and the Attorney General); travel expenses of aliens employed abroad for service in the United States and their dependents to and from the United States; salaries, expenses, and allowances of personnel and dependents as authorized by the Foreign Service Act of 1946, as amended (22 U.S.C. 801–1158); entertainment within the United States not to exceed $500; hire of passenger motor vehicles; insurance on official motor vehicles in foreign countries; purchase of space in publications abroad, without regard to the provisions of law set forth in 44 U.S.C. 322; services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a); payment of tort claims, in the manner authorized in the first paragraph of section 2672, as amended, of title 28 of the United States Code when such claims arise in foreign countries; advance of funds notwithstanding section 3648 of the Revised Statutes, as amended; dues for library membership in organizations which issue publications to members only, or to members at a price lower than to others; employment of aliens, by contract, for service abroad; purchase of ice and drinking water abroad; payment of excise taxes on negotiable instruments abroad; cost of transporting to and from a place of storage and the cost of storing the furniture and household and personnel effects of an employee of the Foreign Service who is assigned to a post at which he is unable to use his furniture and effects, under such regulations as the Director may prescribe; actual expenses of preparing and transporting to their former homes the remains of persons, not United States Government employees, who may die away from their homes while participating in

activities authorized under this appropriation; radio activities and acquisition and production of motion pictures and visual materials and purchase or rental of technical equipment and facilities therefor, narration, script writing, translation, and engineering services, by contract or otherwise; maintenance, improvement, and repair of properties used for information activities in foreign countries; fuel and utilities for Government-owned or leased property abroad; rental or lease for periods not exceeding five years of offices, buildings, grounds, and living quarters for officers and employees engaged in informational activities abroad; travel expenses for employees attending official international conferences, without regard to the Standardized Government Travel Regulations and to the rates of per diem allowances in lieu of subsistence expenses under the Travel Expense Act of 1949, but at rates not in excess of comparable allowances approved for such conferences by the Secretary of State; and purchase of objects for presentation to foreign governments, schools, or organizations; $101,557,300, of which not less than $14,000,000 shall be used to purchase foreign currencies or credits owed to or owned by the Treasury of the United States: *Provided*, That not to exceed $75,000 may be used for representation abroad: *Provided further*, That this appropriation shall be available for expenses in connection with travel of personnel outside the continental United States, including travel of dependents and transportation of personal effects, household goods, or automobiles of such personnel, when any part of such travel or transportation begins in the current fiscal year pursuant to travel orders issued in that year, notwithstanding the fact that such travel or transportation may not be completed during the current year: *Provided further*, That funds may be exchanged for payment of expenses in connection with the operation of information establishments abroad without regard to the provisions of section 3651 of the Revised Statutes (31 U.S.C. 543): *Provided further*, That passenger motor vehicles used abroad exclusively for the purposes of this appropriation may be exchanged or sold, pursuant to section 201(c) of the Act of June 30, 1949 (40 U.S.C. 481(c)), and the exchange allowances or proceeds of such sales shall be available for replacement of an equal number of such vehicles and the cost, including the exchange allowance of each such replacement, except buses and station wagons, shall not exceed $1,500: *Provided further*, That, notwithstanding the provisions of section 3679 of the Revised Statutes, as amended (31 U.S.C. 665), the United States Information Agency is authorized in making contracts for the use of international shortwave radio stations and facilities, to agree on behalf of the United States to indemnify the owners and operators of said radio stations and facilities from such funds as may be hereafter appropriated for the purpose against loss or damage on account of injury to persons or property arising from such use of said radio stations and facilities: *Provided further*, That existing appointments and assignments to the Foreign Service Reserve for the purposes of foreign information and educational activities which expire during the current fiscal year may be extended for a period of one year in addition to the period of appointment or assignment otherwise authorized.

Mr. GROSS. Mr. Chairman, I move to strike out the requisite number of words.

Mr. GROSS. Mr. Chairman, I take this time to ask the chairman, or the ranking minority member, or any member on the subcommittee, a few questions concerning the informational media guaranty program. From the hearings it is indicated that this has been a pretty lush subsidy for a number of film producers and publishers; is that somewhat correct?

Mr. ROONEY. Probably so. Does the gentleman suggest I elaborate?

Mr. GROSS. I note that a gentleman by the name of Eric Johnston appeared before the subcommittee as a lobbyist for the Motion Picture Export Association of America. Does the gentleman from New York know whether this is the same Eric Johnston who was selected by the White House to crank up the administration propaganda machine a year or so ago and put over the trade agreements extension, the results of which are now coming home to haunt American industry and labor?

Mr. ROONEY. I know he is the same gentleman who does not agree at all at the moment with his friend, the President of the United States, with regard to funds for this program because the President asked the Congress for $3.5 million while Mr. Johnston wants $16 million of the taxpayers' money for it.

Mr. GROSS. Well, that is not very much of an increase; is it?

Mr. ROONEY. I think it is substantial.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield briefly.

Mr. HOFFMAN of Michigan. Are you quibbling over that?

Mr. GROSS. Over how much?

Mr. HOFFMAN of Michigan. Did he not say it was a $16 million increase from something about $1 million or $1.5 million?

Mr. GROSS. I found out yesterday, when I tried repeatedly to cut this bill, that you cannot quibble over these small amounts like $16 million or even $48 million.

The Motion Picture Export Association has been given a pretty good ride on the informational media gravy train; is that not correct?

Mr. ROONEY. You might take it that that is so.

Mr. GROSS. Then Mr. Eric Johnston was not exactly a disinterested party when he became the front man for the White House in doing a propaganda job on the Congress and on the Nation in connection with foreign trade; was he?

Mr. ROONEY. I believe he did act for the White House.

Mr. GROSS. Does the gentleman know whether Mr. Johnston is the lobbyist only for this export film outfit?

Mr. ROONEY. It is my understanding that he also represents the Motion Picture Association of America.

Mr. GROSS. But he was not simply representing the export association too when he appeared before your subcommittee to testify; is that correct?

Mr. ROONEY. I thought he was representing all the motion picture producers who are members of the association.

Mr. GROSS. Along with the publishers, the magazine publishers and some newspaper publishers, they not only have their feet in the trough, but they have them in clear up to the knees in this informational media business.

Mr. ROONEY. I do not suggest the gentleman from Iowa is exaggerating in that respect. I think the gentleman is entitled to make that statement if he feels it is correct. I do not know whether I would agree with the gentleman entirely—maybe it goes up beyond the knees.

Mr. GROSS. I notice that Time magazine and Readers Digest and a score or more of film producers have been taking millions of dollars; is that not correct? Your hearings in page after page and in page after page in small type indicate that they have been taking millions of dollars. Can the gentleman tell me offhand how much this is costing the taxpayers of this country, this informational media guarantee program?

Mr. ROONEY. One cannot exactly tell, I must say to the gentleman, but it is generally admitted by everybody that at least $10 million of the taxpayers' money has gone down the drain in subsidies. What they call the "impairment" of the fund amounts to $15,993,830 as of June 30, 1958.

Mr. GROSS. $10 million out of how much?

Mr. ROONEY. If the gentleman wants an answer, I shall try to give an answer.

Mr. GROSS. Yes, I do want an answer.

Mr. ROONEY. As the result of this program, these motion picture companies and book companies turn over the foreign currencies that they receive for sales in certain countries abroad to the U.S. Treasury and get nice fresh American dollars for them. The Treasury then holds the foreign currencies. Now, all of these currencies have not gone down the drain. There are still some millions of them in the U.S. Treasury which might at some conceivable future time be worth so much, or such and such a part of a dollar. But, at the present time, it is acknowledged that about $10 million has been written off.

Mr. GROSS. Out of how much of the total involved?

Mr. ROONEY. The total authorized program was $28 million—and, incidentally, this program was started without any action on the part of the Committee on Appropriations in this body or in the other body. This was done through a public debt transaction in order to get around the appropriations committees. The fund has borrowed $20,191,000 through February 28, 1959.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. GROSS. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. The gentleman from New York did not get very good answers, although he tried hard in the hearings, to find out who produced the films entitled "Fundamentals of Tennis" and

"Fundamentals of Square Dancing"; is that right?

Mr. ROONEY. The gentleman from New York got answers sufficiently good enough to cause the committee to be in unanimous agreement on the amount of $2.5 million rather than the amount of $16 million, which Mr. Johnston requested.

Mr. GROSS. Again I want to compliment the gentleman for the economies he effected but I still insist that he did not get very much enlightenment as to who produced them. I just wonder if it is the same outfit, headed by Eric Johnston, that put over these two little dandies—the "Fundamentals of Square Dancing" and the "Fundamentals of Tennis" at a cost of several hundred or maybe a few thousand dollars for foreign consumption.

Mr. ROONEY. I think the gentleman is confused.

Mr. GROSS. No, I am not confused.

Mr. ROONEY. The gentleman may be confusing the films which are involved in the regular USIA film program and the sort of Hollywood films which are subsidized with the taxpayers money in the informational media guarantee program.

Mr. GROSS. At any rate Eric Johnston is doing very well indeed, is he not, representing these film people?

Mr. ROONEY. He looked very well the last time I saw him. Incidentally, he speaks very well of the gentleman from Iowa.

Mr. GROSS. Who—me? I am surprised to hear it.

Mr. VANIK. Mr. Chairman, I would like to reserve a point of order to the language on page 30 appearing in lines 2 and 3, and reading: "without regard to the provisions of law set forth in 44 U.S.C. 322."

The CHAIRMAN. The Chair would like to state to the gentleman from Ohio that the point of order comes too late. We have already had debate on this particular section.

Mr. VANIK. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I would like to use this time to inquire of the distinguished chairman of the committee, or anyone else who can advise, as to why the language on page 30, lines 2 and 3 "without regard to the provisions of law set forth in 44 U.S.C. 322," is in the bill. This particular language exempts the U.S. Information Agency from complying with the very necessary and important provision of the law which provides that the price paid by the Federal Government for newspaper advertising shall not exceed commercial rates charged to private individuals. I wonder why the agency should desire to pay any more than the commercial rate to individuals on advertising in foreign newspapers.

Mr. ROONEY. I would say to the distinguished gentleman from Ohio that this law to which he made reference originally applied to advertising in newspapers and so forth in the United States. When it came to buying advertising in foreign newspapers abroad it became impossible to obtain the sworn affidavits required under the provisions of the law; they just could not get them abroad. Some years back, therefore, this language was inserted in this appropriation bill so that the U.S. Information Agency could obtain advertising abroad.

I may say, however, that a law has since been enacted which changes the situation and makes this language superfluous. To let it stand as it is right now, as it stands on page 30 of the present bill, will not do anybody the slightest bit of harm. A point of order against it is futile, for it just does not achieve any purpose; it would not save the taxpayer a dollar.

Mr. VANIK. I thank the gentleman.

Mr. GROSS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. GROSS. Has line 20 on page 31 of the bill been read?

The CHAIRMAN. The bill has been read down to line 7 on page 33.

Mr. GROSS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GROSS: On page 31, line 20, strike out "$75,000."

Mr. GROSS. Mr. Chairman, I will not take much time. This is simply an amendment striking out $75,000 for another representation allowance. This is not explained in the bill. I do not know whether it is for Coca-Cola, Pepsi-Cola, or 7 Up. I think it ought to be stricken in the interests of the taxpayers.

Mr. ROONEY. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. ROONEY. Is there an amendment pending at the Clerk's desk?

The CHAIRMAN. Yes.

Mr. ROONEY. May we not have the amendment reported?

The CHAIRMAN. Without objection the Clerk will again report the Gross amendment.

There was no objection.

The Clerk again reported the amendment.

Mr. GROSS. Mr. Chairman, I will again explain to the gentleman that this $75,000 is a representation allowance, and I say again I do not know whether this is for Coca-Cola, Pepsi-Cola, or 7 Up, or what do you call it—Squirt.

Mr. ROONEY. Schweppes.

Mr. GROSS. Schweppes. This is another $75,000 for representation allowance. I am opposed to it. I hope the amendment is adopted.

Mr. ROONEY. Mr. Chairman, I ask unanimous consent that all debate on the pending amendment close in 3 minutes, the committee to be recognized for the last 2.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The CHAIRMAN. The gentleman from New York [Mr. ROONEY] is recognized.

Mr. ROONEY. Mr. Chairman, on yesterday I was perhaps a bit too facetious when we had under consideration an amendment offered by the gentleman from Iowa to strike out an entertainment item of $1,000 for the exchange program. I told the Committee of the Whole that it was for Coca Cola. I hope that everybody realized that I was kidding a bit on yesterday and that the fund of $1,000 was for usual entertainment expenses.

This $75,000 to which the gentleman has directed his amendment is justified in the opinion of the committee. It is a reduction from the amount of $135,000 requested in the budget estimate. As a matter of fact the amount $75,000 is $15,000 below the amount approved by the Congress for this purpose in the current year. I feel that the Information Agency with its problems of representation all over the world is entitled to this $75,000. The committee has always done its best to keep these representation funds within proper and reasonable limits. The gentleman from Iowa will agree to that. The Committee of the Whole, I think, will agree that the Appropriations Committee has been reasonable in this instance. So, Mr. Chairman, I ask that the amendment offered by the gentleman from Iowa be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa [Mr. GROSS].

The amendment was rejected.

The Clerk read as follows:

FUNDS APPROPRIATED TO THE PRESIDENT

President's special international program

For expenses necessary to enable the President to carry out the provision of the "International Cultural Exchange and Trade Fair Participation Act of 1956", $6,145,500: *Provided*, That not to exceed a total of $25,000 may be expended for representation.

Mr. GROSS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GROSS: On page 34, line 9, strike out "$25,000".

Mr. GROSS. Mr. Chairman, this is a $25,000 appropriation for more so-called representation. I believe this is the last one in the bill.

I have tried to do what I thought was my duty in offering amendments to strike out all of these appropriations for Coca-Cola, Pesi-Cola, and so forth. This is the last one on this subject that I shall offer.

Mr. Chairman, I hope the amendment will be adopted.

Mr. ROONEY. Mr. Chairman, I ask unanimous consent that all debate on the pending amendment and all amendments thereto close in 3 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ROONEY. Mr. Chairman, I rise in opposition to the pending amendment.

Mr. Chairman, this is a program under which the Department of State sends opera stars, symphony orchestras, jazz bands, acrobats, tennis players, and athletic teams and athletes abroad. This is the program under the International Cultural Exchange and Trade Participation Act of 1956. You will note that it includes the funds for trade

fairs, at which we are represented all over the world.

The committee has seen fit to allow $25,000 under this program for the purpose of entertainment. If the taxpayers must spend a great deal of money to send an opera star to some foreign city, it seems unwise that we do not spend another paltry few dollars to see that she meets everybody in that city and makes a good impression upon them. This is called "the furthering of American interests" in that country.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. ROONEY. I yield to the distinguished gentleman from Iowa.

Mr. GROSS. I had not quite realized that this was entertainment for the entertainers. I am glad the gentleman gave us that information.

Mr. ROONEY. I would like to call the gentleman's attention to the fact that the committee was asked for $49,800 for this purpose in this part of the bill as well as $12,000 in connection with the trade missions which were placed over in the Commerce Department appropriation bill under the original setup of the budget. As I have previously pointed out the trade missions are back in this bill so that the committee has actually cut the request from $61,800 to $25,000.

I think the action of the committee was reasonable and entirely justified. We saved the taxpayers $36,800 but I do not believe it would be sensible to deny every nickel of funds for this purpose.

Mr. Chairman, I suggest that the pending amendment be voted down.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa [Mr. GROSS].

The amendment was rejected.

The Clerk read as follows:

COMMISSION ON CIVIL RIGHTS

Salaries and expenses

For expenses necessary for the Commission on Civil Rights, $280,000.

Mr. WILLIAMS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WILLIAMS of Mississippi: On page 34, line 11, strike out all of line 11 through and including line 14.

Mr. WILLIAMS. Mr. Chairman, in view of the current political climate that prevails, I am not deluding myself into believing that this amendment will be adopted; however, I can assure you it is offered in good faith and it is most certainly justified, as anyone who will turn to page 1184 and the ensuing 20 pages of the hearings will find.

Dr. Hannah and Mr. Tiffany, representing the Civil Rights Commission, testified before the committee, and in an attempt to justify their position for continuing this Commission, did some of the fanciest broken-field running that I have ever read in a congressional hearing. Why, if you believe what they say, they have 73 people over there who have spent some $770,000 keeping figures on the number and type of complaints that have come into the Commission.

Now, in the State by State breakdown that they have placed in the hearings, covering the latter part of 1957 and 1958 and up to February 16, 1959, they show 242 complaints from the 11 Deep South States. I am sure they were disappointed to find that they received twice as many from the rest of the country, 496. However, in order to build the number of complaints up as high as possible, they included crank letters; letters from prison inmates, letters from mental institutions, and a vague category called miscellaneous, and if you add those categories up, you will find that 202 of those complaints fall within those categories.

As of April 30th this year the Commission states that it received 253 sworn voting complaints. Congress appropriated $777,000 for the fiscal year 1959, so at that rate the taxpayers are footing the bill at the rate of $3,000 per complaint.

They state they have held four hearings. What these hearings may have accomplished is not at all clear. They held one in New York on housing, one in Atlanta on housing, one in Montgomery, Ala., on voting, and one in Nashville, Tenn., on education. Insofar as I can tell from reading the record of the hearings before this committee, this is the only thing this Commission has done to justify its existence, except to keep a tally of the complaints that it has received.

Mr. Chairman, in the interest of economy and in the interest of common sense, this Commission should be permitted to die as of the end of this fiscal year.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. WILLIAMS. I yield to the gentleman from Iowa.

Mr. GROSS. It is supposed to wind up in September of this year, is it not?

Mr. WILLIAMS. I believe it is in November, if I am not mistaken.

Mr. GROSS. I think it is September of this year.

Mr. WILLIAMS. Well, these appropriations carry to November 8, I believe. Is that not correct, may I ask the chairman?

Mr. ROONEY. The basic law states that the report shall be submitted to the Congress and to the executive branch on September 9 and that the Commission shall expire 60 days later, or on November 9.

Mr. GROSS. Then, they certainly do not need the amount contained in this bill to wind up their affairs by November, that is, effectively in November, and be completely disbanded in November.

Mr. WILLIAMS. I thank the gentleman, and quite agree with him.

Mr. GROSS. Is that not the contention of the gentleman?

Mr. WILLIAMS. Absolutely. And, I feel if you read the hearings, you will find that any further appropriation for this outfit is completely and wholly unjustified.

Mr. ROONEY. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 5 minutes and that the 5 minutes be allotted to the committee.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ROONEY. Mr. Chairman, the Commission on Civil Rights is a Commission composed of six members, all of whom were nominated by the President and confirmed by the other body. They are, indeed, six distinguished men, including two distinguished southerners. Their names and biographies appear beginning at page 1187 of the printed hearings.

The Chairman, Dr. John A. Hannah, president of Michigan State University, appeared before the committee in behalf of the fellow members of his Commission. The vice chairman is Mr. Robert G. Storey of Dallas, Tex. Another Commissioner is the Honorable John S. Battle, former Governor of Virginia. Another Commissioner is Hon. Doyle E. Carlton, former Governor of Florida. Another is Rev. Theodore M. Hesburgh, C.S.C., president of Notre Dame University, and the sixth one is Mr. George M. Johnson, formerly Dean of Howard University Law School.

Now, these are the distinguished men who comprise this Commission on Civil Rights, a Commission which you should understand is by no means a law enforcement agency. This Commission has no enforcement powers other than the power of subpena and the authority to turn over the matter of failure to answer one of their subpenas to the Department of Justice. The Commission was formed only to investigate, study, collect information, find facts and make recommendations. It has no connection with the Department of Justice. It has been functioning just about a year and in that year the Commission has held some hearings.

The primary purpose of this Commission under the law is to submit a final and comprehensive report to the President and the Congress not later than the 9th of September next. This report, because of the limited time the Commission has had, due to delays in the appointment of the members of the Commission, will be confined to matters in connection with voting, housing and education. It is at this particular time, beginning this July 1 and up to September 9 that the Commission needs its full and peak roster of 73 employees in order to carry out the functions which devolve upon it under the law.

Mr. Chairman, I have no idea what is going to be in the Commission's report. The Commission did not indicate to the Committee on Appropriations what they would say in their report. They are presently working on it. Now, the taxpayer has invested in this Commission to date the amount $777,000. Having expended $777,000, to cut off the necessary funds for the Commission at this time, in the last few months in which they are to prepare and submit their report would be, to me, a great waste of the taxpayers' money.

The committee has allowed practically every dollar asked for. In order to merely round out the amount, the committee cut the request of $288,000 to $280,000.

It is plain good business judgment to go along with this recommended appropriation of $280,000 so that we may have a report from this Commission, comprised of such learned and distinguished men, on the No. 1 problem in America today.

So, Mr. Chairman, I ask that the pending amendment of the gentleman from Mississippi be voted down.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Mississippi [Mr. WILLIAMS].

The amendment was rejected.

Mr. MARSHALL. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, during the session of the Congress that I first served on the Committee on Appropriations it was my privilege to serve as a member of the committee chairmaned by the distinguished gentleman from New York [Mr. ROONEY]. I want to take this time to express to the chairman of this committee, my good friend, the distinguished gentleman from New York [Mr. ROONEY], the thanks of the people of my district for his diligent service in the Congress. During the time that I served on the committee I was able to observe how he questioned the people who appeared before our committee, how he made them justify the amounts they requested. His knowledge of the work of the agencies kept administrators on their toes and alerted them to the necessity of good administration. His task has always been a difficult and an intricate one. It has been interwoven with international problems and interwoven with a great many domestic misunderstandings at times. But the chairman, the gentleman from New York [Mr. ROONEY], has always done an outstanding job. He has done that work sincerely. He has worked hard. Having served on his committee I know how hard the members of his committee work with him as chairman.

Mr. Chairman, I should like to mention two instances particularly where I know the gentleman from New York saved the taxpayers not only a lot of embarrassment but money. I recall one time when I served on that committee when the people of the Information Service wanted to drop crystal sets to people behind the Iron Curtain. For what purpose we were never able to understand. Due to the efforts of Mr. ROONEY, that foolish scheme never developed.

I was pleased to note that in this bill there was no item to settle the claims of persons of Japanese ancestry. The chairman and other members of his committee were very diligent in urging the Department of Justice to clear up what was a long-delayed and unsavory situation. They did that. They have done their work extremely well. Hearings over the years would disclose numerous incidents all bearing testimony to the common sense and sensible economy of the gentleman from New York.

So, Mr. Chairman, at this time, I again want to express my personal appreciation and also express the same for the people of my district to the gentleman from New York [Mr. ROONEY] for the very excellent work that he has done in bringing this bill to the floor of the House as he has brought other bills to this House.

Mr. ROONEY. Mr. Chairman, will the distinguished gentleman from Minnesota yield?

Mr. MARSHALL. I yield.

Mr. ROONEY. I wish to very sincerely thank my distinguished friend, the gentleman from Minnesota, for his most kind remarks. He was indeed a valuable member of this subcommittee during the years he served on it. It was a great loss when he found the opportunity to change to another subcommittee which deals with a subject which is his No. 1 interest, agriculture.

Mr. MARSHALL. I thank my friend, the gentleman from New York.

The Clerk read as follows:

TITLE VI—GENERAL PROVISIONS

SEC. 601. No part of any appropriation contained in this act shall be used for publicity or propaganda purposes not heretofore authorized by the Congress.

Mr. GROSS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GROSS: On page 35, line 24, strike out the word "heretofore."

Mr. GROSS. Mr. Chairman, as this provision in the bill presently reads, it says:

SEC. 601. No part of any appropriation contained in this act shall be used for publicity or propaganda purposes not heretofore authorized by the Congress.

My amendment simply strikes out the word "heretofore." I believe it strengthens the provision and I hope the chairman will accept the amendment.

Mr. ROONEY. Mr. Chairman, speaking for myself, I have no objection to the proposed amendment. I do not know whether it achieves anything or not. I think not. But, I would like the gentleman from Iowa to have some sort of a score in this game that we have been playing here today and yesterday. He is a most conscientious Member who studies every bill that comes here to the floor of the House, and I commend him for it. There is no objection on the part of the committee, I now find, and we will accept the amendment of the distinguished gentleman from Iowa.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. ROONEY. I yield.

Mr. GROSS. I want to thank the gentleman for that one word "heretofore".

Mr. HOFFMAN of Michigan. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise to advise the gentleman or whatever the expression may be——

Mr. ROONEY. Mr. Chairman, would the gentleman be good enough to use the microphone. We cannot hear the gentleman here.

Mr. HOFFMAN of Michigan. Maybe it is not worth while hearing.

Mr. ROONEY. The gentleman once in awhile says something that is worth while hearing.

Mr. HOFFMAN of Michigan. Many thanks, Mr. Chairman, I wanted to advise the gentleman from Iowa or suggest to him that while what the gentleman from New York said, and I know it was said in good humor, the folks back home evidently appreciate what you have been saying to bring about economy and efficiency, and I hope you continue your efforts.

Mr. GROSS. I thank the gentleman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa [Mr. GROSS].

The amendment was agreed to.

Mr. HARDY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I do this to inquire of the chairman of the subcommittee concerning section 601 with respect to the possibility that the funds appropriated on page 5 for emergencies in the diplomatic and consular services may be used for the purpose of influencing legislation. Yesterday, we had a similar situation in connection with appropriations to the President. In private conversation the gentleman from New York has indicated that the funds provided on page 5 of this bill may not be used for the purposes of influencing legislation or pressurizing the Congress. I would like to have that very clearly spelled out, otherwise I would feel constrained to offer an amendment similar to the one which was offered yesterday. Would the gentleman from New York indicate whether or not these funds are available for putting pressure on the Congress to enact legislation which the department wishes to have enacted.

Mr. ROONEY. The gentleman is correct in his statement with regard to our conversation. The fund to which he refers is not used and will not be used for the purpose of pressurizing Members of Congress or influencing legislation in one way ore another.

Mr. HARDY. I call the attention of the gentleman to a specific situation which was developed by my subcommittee and which, in our opinion, was used for influencing legislation. I want to be sure that at least the legislative history is so spelled out that it will not happen in the future. I call the gentleman's attention particularly to the study which our subcommittee made on the use of these particular funds.

Mr. ROONEY. Is the gentleman referring to the Heller report?

Mr. HARDY. No; I am not referring to the Heller report. That was another misuse of similar funds. I am referring to a contract with the National Information Research Service for the conduct of public opinion polls which extended over a 14-year period from 1944 to 1957. The gentleman will probably recall that for those purposes, the Department of State expended almost $553,000 in that period of time. It is true in the beginning that these polls were used primarily within the Department of State. But subsequently, and specifically in the year 1957, they were given by ICA to the press on a selective basis so that they were in effect, in my judgment, used as propaganda to support mutual security legislation which was then pending.

Does the gentleman recall that situation?

Mr. ROONEY. I do.

Mr. HARDY. Would the gentleman explain, then, how we can legislate so this will not recur?

Mr. ROONEY. The committee has had conversations with those in control of this fund in the State Department, and we have their assurance since this matter was first brought to light as well as the matter of the Heller report, that the fund would not be used for these purposes again.

Mr. HARDY. The Heller report, I may say to the gentleman, in my opinion was not being used to influence legislation.

Mr. ROONEY. No; but that should not have been paid for out of this fund either.

Mr. HARDY. The gentleman is correct.

Mr. ROONEY. I feel, and I believe the members of my committee do also, that the situation has been rectified.

Mr. HARDY. I take it the gentleman does believe that the use of this fund in the public opinion field and the publication of this matter was in violation of the spirit of the act.

Mr. ROONEY. I do not think that the fund should ever have been used for that purpose.

Mr. HARDY. I thank the gentleman very much.

Mr. Chairman, I yield back the balance of my time.

Mr. SIKES. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SIKES. Mr. Chairman, it is a distressing thing to witness the passing from the national scene of a great and valuable public servant. John Foster Dulles, the late Secretary of State, was that type of official. Studious, capable, and dedicated, he won by diligent and painstaking service the plaudits of the free world. His service and counsel will be sorely needed as we meet the world problems in which his experience made him so well versed.

The work of the Department of State must go on and go on it will in capable hands. By the same token, we in Congress must move ahead to provide the appropriation for the operation of the Department during the next fiscal year. Now, what is this Department of State and who are the people who carry on its work? How do they live and what actually do they seek to accomplish?

The Department of State is the official channel through which the American people conduct their relations with the other peoples and governments of the world.

Under the direction of the President, and with the aid and advice of the Congress, the Department of State plans what courses of action to pursue—what our "foreign policy" is to be—in our dealings with other nations. The Department of State tries to carry out the foreign policy decided upon by the President in such a way as to serve the best interests of the American people both on a short-term and long-range basis.

The Department of State is the oldest executive department of the U.S. Government. It was established as the Department of Foreign Affairs by the law of July 27, 1789, enacted by the first Congress and signed by President George Washington. By legislation of September 15, 1789, its name was changed to the Department of State, and its functions were augmented to include a variety of domestic duties.

Thomas Jefferson was our first Secretary of State. Since Jefferson's time the Department has been headed by many other illustrious men, including: John Quincy Adams, who played an important part in formulating the Monroe Doctrine; James G. Blaine, the father of the Pan American conferences; and, more recently, Charles Evans Hughes, Henry L. Stimson, Cordell Hull and the late Secretary John Foster Dulles, all of whom exerted American leadership for international peace and justice.

The Department of State now has about 7,000 employees in the United States, 6,100 American employees serving overseas, and about 9,500 nationals of other countries who work at our posts abroad. It is one of the smallest of all Cabinet-level Federal Agencies—only the Department of Labor is smaller. It is also small in numbers overseas, representing only 2 percent of U.S. employees abroad, 10 percent excluding the military—20 percent including ICA.

The Department of State, however, is the headquarters of a vast reporting system which stretches from Washington to the far corners of the earth. From 283 posts abroad, members of the U.S. Foreign Service report to the State Department on the multitude of foreign developments which have a bearing on the welfare and security of the American people. These trained observers provide the President and the Secretary of State with the raw materials from which foreign policy is made and with the recommendations which shape it. From the Department in Washington to the oversea posts go the instructions which guide our Foreign Service in carrying out America's foreign policy.

The Department of State negotiates treaties and other agreements with foreign nations. Since 1945 the United States has entered into treaties of collective security and mutual defense with a total of 42 nations.

It speaks for the United States at the United Nations and other international organizations. During 1957 the United States was represented at more than 370 international conferences.

Through our consulates general and consulates overseas the Department of State issues visas—passport endorsements required of aliens desiring to enter the United States—to foreigners who qualify under the terms of our laws. Last year approximately 1 million visas were issued or renewed.

Passport agencies in Washington, Los Angeles, Boston, San Francisco, New Orleans, New York and Chicago issued or renewed some 676,898 passports in 1958 for Americans wishing to travel abroad.

At our oversea posts members of the U.S. Foreign Service serve their fellow Americans in many ways. They guard the rights of American shipping and seamen, aid citizens in distress, record the births of children born to American parents abroad, issue or revalidate American passports, protect American property, and search for missing travelers.

During the past fiscal year the Department's International Educational Exchange Service provided grants and made arrangements for some 4772 foreign students, teachers, lecturers, scholars, and leaders from 88 countries to come to the United States and for 1,764 Americans to go abroad. The service also assisted several thousand individuals coming to the United States on privately financed programs, as well as Americans going abroad under nongovernmental auspices.

The Department of State deals with 76 foreign embassies and 6 legations in this country.

The Department of State each year answers some 200,000 requests from Americans for facts on specific issues and is host to some 7,000 visitors who request briefings on foreign policy.

Department couriers, carrying information vital to U.S. interests, travel over 8½ million miles a year, a distance equivalent to 18 round trips to the moon.

The Department's mail and pouch rooms handle each workday an average of 35,000 pieces of mail sent and received through postal and pouch channels.

The Department exchanges with its Foreign Service posts an average of 4,000 messages each workday.

The Department's Foreign Service Institute trains Foreign Service officers in 32 different languages and the special skills of diplomacy. It is authorized, in addition, to train officers of other Government agencies who will serve abroad.

The Under Secretary for Economic Affairs is responsible for coordinating all mutual security programs, including military assistance, which is adminstered by the Department of Defense.

The employees of the State Department and the Foreign Service come from every State in the Union, from big cities and small towns. They include messengers, clerks, stenographers, translators, librarians, editors, lawyers, economists. Many of them have had previous experience in the business and industrial world, on the staffs of newspapers, or as teachers.

Like any other Government agency or like any business concern, the State Department hires men and women who have special training, aptitude, or experience in the field of work in which it is engaged. Most of the Department's positions involving foreign policy are staffed by career Foreign Service officers who are appointed by competitive examinations which test their general knowledge and their aptitude for conducting international relations. Many of these officers have had graduate training in subjects such as international finance or foreign languages and areas, or receive special training in the Department.

In few other occupations does a man's job encompass his entire life as it does in the Foreign Service. Foreign Service personnel must serve wherever they are sent and perform any job the Service requires. They serve behind the Iron Curtain where they are cut off from normal contacts with the local inhabitants. They serve in Reykjavik, near the Arctic Circle, and in Kuala Lumpur near the Equator. The Service has carried on through earthquakes, revolutions, wars, and plagues. Its members have fled for their lives one step ahead of hostile forces. They have been interned by the enemy in time of war. An inconspicuous honor roll in the State Department Building in Washington is a silent reminder that a number of Foreign Service officers have lost their lives under tragic and often violent circumstances.

International crises and consular problems do not respect 9 to 5 office hours. Members of the Service each year serve many hundreds of hours of uncompensated overtime. But beyond the usual requirements of office duties, a member of the Foreign Service is on duty 24 hours each day. Wherever he goes, whatever he does, he retains his character as a representative of the United States. This is particularly true in areas of the world where there are very few Americans. If members of the foreign community are unfavorably impressed with the conduct of Foreign Service personnel, they are apt to form an unfavorable impression of all Americans and America's international relations will thereby suffer. For this reason Foreign Service personnel are selected and evaluated on the basis of their personal as well as their professional conduct, and even their private lives are in some measure under Foreign Service discipline. Wives and children, just as much as the employees themselves, are representatives of the United States and their conduct may be important in establishing goodwill for our country.

Knowing people is an important part of the job of a diplomat or a consul, and social activities are a means by which he is able to perform his duties more effectively. These after-hours or lunchtime social activities are often a matter of duty rather than of personal preference.

It is a Foreign Service officer's duty to inform our Government about the policies, attitudes, and interests of other nations. He can do this effectively only if he is acquainted with the individuals in authority. Informal relationships with foreign government officials are an important method of gathering information and of informing other governments of the policies of the United States. By building up an atmosphere of trust and friendship, the officer simplifies the process of negotiation. By being on friendly terms with local authorities, he is better able to do his job of protecting the welfare of Americans abroad. By knowing the members of the American community in a foreign country, he is better able to represent their interests. His acquaintanceships with members of the diplomatic corps of other nations are important to America's international relations.

In recognition of the fact that social activities are an important aspect of a Foreign Service officer's job, the Service provides an allowance to the principal officers at our diplomatic and consular posts to defray, in part, the cost of entertainment of an official nature. These allowances are small and, with few exceptions, officers find that some of the money for official entertainment comes out of their own pockets.

Over one-third of the posts in the Foreign Service are classified as "hardship posts." The following factors are taken into account by the Service in making such a classification:

Isolation from other areas involving poor transportation and inadequate postal service.

Lack of comfortable and sanitary housing.

Lack of medical personnel and facilities.

Lack of healthful foods, such as fresh vegetables and pasteurized milk.

Absence of modern sanitation, such as sewage disposal, garbage collection, and control of rodents and insect pests.

Prevalence of communicable diseases.

Extreme heat, cold, and humidity or excessive rainfall.

The frequency of natural calamities, such as earthquakes and typhoons.

The danger of civil disturbances, revolution, riots, or inadequate police protection.

No one post is deficient in all respects, and every post offers compensating factors. Regardless of the conditions, members of the Foreign Service are expected to have and do have the resourcefulness to make the best of their situation. And every post, however uncomfortable, offers the opportunity to know another people.

Depending on the degree of hardship experienced by the personnel at each post, both officers and staff are given extra pay. As an alternative at unhealthful posts they are allowed to accumulate extra service time toward their retirement.

It is evident that many of the hardships of Foreign Service life rest heavily on the wives, who must keep their families healthy and well fed and maintain an attractive home often under very trying conditions. Every 4 or 5 years all household goods must be packed and crated and shipped to another part of the world. The wives must learn to prepare appetizing and wholesome meals out of unfamiliar foods. In the tropics they wage constant warfare against mildew and a host of insect pests. In some areas servants are available to compensate for the absence of automatic washers and frozen foods, but there frequently is the problem of learning the local language in order to be able to communicate with servants.

Foreign Service wives receive no Presidential commission, but they are a very important part of the Foreign Service. A wife who is an efficient housekeeper, who enters into local community activities, and who is a gracious hostess is a very real asset to an officer. A wife without the qualities needed in the Foreign Service can be a serious handicap.

One of the most difficult problems for parents in the Foreign Service is that of giving their children a suitable education. In many areas there are no grammar or secondary schools where children can obtain an education comparable to that which they would receive free in the United States. In such cases parents must make a choice between educating their children themselves through a correspondence school system or sending them away from home to boarding schools, often at considerable expense. Regardless of the hardship of separation, most parents feel it desirable that their children receive part of their early education in the United States where they will associate with children of their own nationality.

The Foreign Service Act Amendments of 1956 helped to alleviate the financial burden of education. In areas where no suitable schools are available parents now are given a special allowance to cover a portion of the cost of sending children to the United States or to the nearest suitable schools.

A Foreign Service officer cannot remain at a particular level indefinitely. A maximum time limit for each grade of the Service is established by the Secretary of State. If an officer fails to receive a promotion within the established time limit he is "selected out" of the Service and must retire or resign.

The Foreign Service is a competitive organization. However, the requirement that an officer be evaluated by a number of different persons who are in a position to judge his capabilities insures that the circumstances of competition are made as fair as possible.

The selection-out process is intended to eliminate those of marginal ability and to provide opportunities for those officers whose ratings by the promotion panels indicate their ability to assume positions of higher responsibility.

This, in brief, tells something of the many-sided problems which are associated with service in the American State Department and something of the responsibilities borne by its personnel. It no less than the military service is our front line of defense, and it, indeed, in many instances, is the only front line we have to defend day after day the interests of the people of the United States. Its people make mistakes, and so do we all. More importantly, most of them spend a lifetime in dedicated service, conscientiously striving to make this a better world and to make America a stronger land.

Mr. ROONEY. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. THORNBERRY, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration

the bill (H.R. 7343) making appropriations for the Departments of State and Justice, the Judiciary, and related agencies for the fiscal year ending June 30, 1960, and for other purposes, had directed him to report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. ROONEY. Mr. Speaker, I move the previous question on the bill and all amendments thereto to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment?

Mr. BOW. Mr. Speaker, I demand a separate vote on the Gray amendment.

The SPEAKER. Is a separate vote demanded on any other amendment? If not the Chair will put them en grosse.

The other amendments were agreed to.

The SPEAKER. The Clerk will report the amendment on which a separate vote is demanded.

The Clerk read as follows:

Page 19, line 20, immediately preceding "For" insert the following: "For construction of a maximum security institution on a site to be selected by the Attorney General, $2,000,000."

The SPEAKER. The question is on the amendment.

The question was taken and the Speaker announced that the ayes appeared to have it.

Mr. BOW. Mr. Speaker, I ask for a division.

The SPEAKER. Is the gentleman going to ask for a rollcall?

Mr. BOW. I am going to ask for a rollcall.

The SPEAKER. The rollcall will have to go over until tomorrow under the agreement heretofore entered into.

FRANCIS E. WALTER: FAITHFUL SERVANT

Mr. HOFFMAN of Michigan. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN of Michigan. Mr. Speaker, I just learned that another birthday has caught up with our colleague from Pennsylvania [Mr. WALTER].

It called to mind the record of his able, faithful, patriotic service in the Congress.

During the years it has been my privilege to serve, there has never been a time nor an occasion when a question was ever raised as to either his ability or his wholehearted, devoted effort to serve the best interests of our country.

As chairman of the Committee on Un-American Activities, our colleague has fearlessly exposed those engaged in subversive activities.

As a member of the Committee on the Judiciary, he has made an exceptionally outstanding record in his criticism of every tendency by either the courts, the Executive, or the Congress to depart from the principles of the Constitution.

He has always been sympathetic toward the good people of other countries who sought asylum with us. On the question of protecting this country from harm growing out of the indiscriminate acceptance of basically undesirable immigrants, he has never been found at fault. He has never been found absent from his post of guard when criminal or subversive elements sought entry here.

As a champion advocate of the welfare of all of our people, he has never failed us. It is doubtful if any Member of the House in the last 24 years has been so shamefully attacked and abused. But never has he shown the slightest indication of failing to meet in full measure the opportunity, the responsibility, given him by his constituents.

The people of his district and of the country owe him recognition of and appreciation for the exceptionally fine service he has rendered and I am sure his colleagues all join in the hope that the Congress will long be advised by him on the problems, in the solving of which he is an acknowledged expert.

EXTENSION OF RENEGOTIATION ACT OF 1951

Mr. THORNBERRY. Mr. Speaker, by direction of the Committee on Rules I call up a privileged resolution (H. Res. 274) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 7086) to extend the Renegotiation Act of 1951, and for other purposes. After general debate, which shall be confined to the bill, and shall continue not to exceed four hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. THORNBERRY. Mr. Speaker, House Resolution 274 makes in order the consideration of H.R. 7086, which would extend the Renegotiation Act of 1951, and for other purposes. The resolution provides for an open rule with 4 hours of general debate.

The Renegotiation Act of 1951 is scheduled to expire as of June 30, 1959, and this legislation would extend the authority contained therein for 4 years to June 30, 1963. The Department of Defense has recommended that the act be extended for 2 years and 3 months; however, both the Department of Defense and the Renegotiation Board approve the provisions contained in this bill. The Defense Department, in recommending the extension of the act, has stated that present pricing policies and contracting techniques of the procurement agencies are not adequate to protect against excessive profits in all cases—especially those cases where the Government must procure specialized items of unprecedented nature—as in the aircraft, missile, and space fields—with respect to which past production and cost experience is inadequate to permit the accurate forecasting of costs. In this connection, the Defense Department has pointed out that defense expenditures under current world conditions are now, and for the foreseeable future will continue, at unprecedented levels for peacetime conditions. For the fiscal year 1960, for example, departmental expenditures alone will approximate $41 billion, with approximately one-half of that amount representing expenditures for goods and services which would be subject to the provisions of the Renegotiation Act.

Section 103(e) of the present law provides that, in determining excessive profits, favorable recognition must be given to the efficiency of the contractor or the subcontractor, with particular regard to attainment of quantity and quality production, reduction of costs and other matters. The objective of the Government in using the incentive-type contract is to promote cost reductions. Section 2(a) of the committee bill accordingly amends section 103(e) of the act to require that in giving favorable recognition to the efficiency of the contractor or subcontractor, particularly, regard be accorded not only to the matters now set forth in the section, but also to "contractual pricing provisions and the objectives sought to be achieved thereby." Section 2(a) further amends section 103(e) to require that particular regard be given under the efficiency factor to economies effected through subcontracting with small business concerns, which is designed to stimulate subcontracting to small business concerns.

Section 103(m) of the present law permits a 2-year carryforward of losses on renegotiable business. Under this provision, a contractor may carry forward to any fiscal year ending on or after December 31, 1956, losses sustained on renegotiable business during the 2 preceding fiscal years. The Committee on Ways and Means has provided in section 3 of the bill for a 5-year loss carryforward in order to relieve hardships that may result from restricting contractors to a 2-year loss carryforward. The effect of this provision in general is that losses incurred on renegotiable business in any fiscal year ending before December 31, 1956, may be carried forward 2 years as under existing law, and any losses sustained on such business for any fiscal year ending on or after December 31, 1956, may be carried forward 5 years.

Under existing law, the Renegotiation Board is required, if the contractor so requests, to furnish the contractor a statement of its reasons and of the facts used by it as a basis for arriving at a determination of excessive profits, but the Board is not required to furnish such a statement unless its determination is made by order, and then only after the order has been entered. Under its regulations, however, the Board, in order to enable the contractor to decide

whether to enter into an agreement for refund of excessive profits, has made provision for furnishing a contractor such a statement prior to the making of an agreement or the issuance of an order. The committee believes the Board should be required to furnish such a statement prior to the making of an agreement or the entry of an order if the contractor so requests. Section 4(a) of the bill so provides. Section 4(b) requires the Board, at or before the time it furnishes the statement of facts and reasons required by section 105(a), to make available for inspection by the contractor or subcontractor, all reports and other written matter furnished to the Board by a Department named in the act, provided such material relates to the renegotiation proceeding in which the contractor or subcontractor is involved and the disclosure thereof is not forbidden by law.

The committee, in order to make clear that proceedings before the Tax Court in renegotiation cases will be de novo and will not be treated as proceedings to review the determinations of the Renegotiation Board, has provided in the second sentence of section 5(a) that while the petitioner shall have the burden of going forward with the case, only evidence presented to the Tax Court shall be considered, and no presumption of correctness shall attach to a determination of the Board. This provision is not intended to shift the burden of proof under existing law.

Under existing law the Tax Court is given exclusive jurisdiction to finally determine the amount of excessive profits and it is provided that such determination of amount may not be reviewed or redetermined by any court or agency. Section 6 of the present bill permits review of Tax Court decisions in renegotiation cases by the Court of Appeals for the District of Columbia only, and in addition permits review by the Supreme Court upon certiorari. The limitation to a single court of appeals is designed to achieve uniformity of decisions under this law. This section would permit the reviewing court to affirm, or to reverse and remand, but not to modify, or to reverse without remanding.

I urge the adoption of this resolution.

Mr. SPEAKER, I yield 30 minutes of my time to the gentleman from Idaho [Mr. BUDGE].

Mr. BUDGE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, while I personally have some serious reservations as to the period of time this extension covers as set forth in the bill, I know of no opposition to the adoption of this rule. Under the rule as granted by the Rules Committee there will be ample time for full and complete debate which will point up the reasons for a full and complete reexamination of the approach to the problem as attempted in this bill.

It is a most serious problem and this is most important legislation which should be carefully scrutinized by the House.

Mr. THORNBERRY. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

Mr. MILLS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 7086) to extend the Renegotiation Act of 1951, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 7086) with Mr. HARRIS in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. MILLS. Mr. Chairman, I yield myself 30 minutes.

Mr. Chairman, H.R. 7086 which the Committee on Ways and Means brings to the House today deals with the renegotiation of profits arising from defense contracts with specified departments and agencies of the Federal Government. Renegotiation is the process that was established during World War II for looking at the financial experience of Government contractors on the basis of their total operations for each year which would extend over a number of different Government contracts or subcontracts. The process is designed to recapture profits regarded as excessive. Renegotiation involves qualitative review of the profit experience rather than the mere application of some mechanical limitation formula.

In renegotiation, profits are examined in the light of the specified factors as applied to the contractor's operation. Under the process of the renegotiation good profits may be left with the contractor whose operation has demonstrated a high level of efficiency and a real contribution to the defense effort. If profits are large due to factors other than efficiency, as, for example, a sudden drop in the raw material prices over which the contractor had no control or some other such item, then this part of the profit is within the concept of renegotiation excessive and is the sort of a thing that should be recaptured and will be recaptured under this program.

A striking bit of statistics on the renegotiation process is that the overwhelming percentage of Government contractors are either exempt or have no more to do with renegotiation than to file a statement and on the basis of that filing the Board closes the case with a finding that there are clearly no excessive profits. Of about 4,500 filings a year only about 5 percent, slightly over 200, involved any refunds under the renegotiation process. Currently renegotiation is returning to the Federal Government about $100 million a year, after discounting the tax credit that must be allowed in connection with the refund. Of this $100 million of net recovery in the fiscal year 1958, about 60 percent arose from voluntary refunds and price reductions, about 40 percent from actual determinations by the Renegotiation Board of excessive profits.

Renegotiation is necessarily a judgment process, although it involves judgments which are based upon a careful accumulation of financial data with respect to a contractor or subcontractor and a careful accumulation of evidence from the various purchasing agencies that might bear upon his efficiency and overall performance.

Early in my experience on the Committee on Ways and Means I was assigned to a subcommittee by one of our most distinguished chairmen, the gentleman from North Carolina [Mr. Doughton] for purposes of trying to analyze this problem and develop standards that could be written into this program that would give us something in the nature of a mechanical formula. After having labored for weeks we came to the final conclusion at that time, just as we have concluded each time we have extended this program, that there is no mechanical formula that you can develop that will assure you that you are leaving nothing but reasonable profits and not excessive profits. So, I say again that this entire process is predicated upon judgment and that judgment must be exercised largely by the Renegotiation Board.

Now, we looked into this matter again this year. In spite of what is said in the minority views accompanying the report, I think that we have given this program perhaps its most exhaustive study since I have been a member of the committee and since its inception. We conducted 3 days of public hearings in which testimony was received from all persons requesting to be heard, then we were in executive session for a number of days. We went into what I consider every aspect of this program trying to determine whether or not it would be possible for the committee to recommend to the House improvements in it. Also, we had a current investigation made by the staff of the Joint Committee on Internal Revenue Taxation, bringing up to date a very complete study made by that staff in 1956. This group worked with Government agencies, with business groups, all of them interested in trying to make some improvement.

The thrust of a great deal of this investigation and of the many proposals made to the Committee on Ways and Means at these hearings was the attempt to find some way to introduce a specific formula in the evaluation of excessive profits, thereby to reduce the area of discretion that, of necessity, as I pointed out, must be presently exercised by the Renegotiation Board. I must admit that we failed in our effort to come up with any mechanical formula or develop any standards that would change or minimize the discretion that must be exercised in this program. We reviewed the suggestions made in the hearings, but we were unable in this extension that we are bringing to you to eliminate the discretion that has been exercised over the years. We must rely upon the exercise of good judgment.

Now, one approach to the problem of renegotiation was set forth by our distinguished colleague on the committee, the gentleman from California [Mr.

KING]. In a bill he introduced, Mr. KING suggested that we could develop a mechanical formula and his bill contained a formula. The committee thoroughly reviewed the formula but turned the propositions down because we did not believe that we had sufficient information or that they had been developed to the point that we could with reasonable assurance expect them to work in all cases to prevent the retention of excessive profits. The committee did adopt some of the provisions of Mr. KING's bill, particularly the circuit court review provision.

Now let us look briefly at the provisions which are in the bill, H. R. 7086. The first and most important provision, of course, is that provision which extends the time of the operation of the act. The committee reported the bill with a 4-year extension from June 30, 1959, through June 30, 1963. Heretofore we had either extended the program for a 6-month period, for a period of 1 year, or for a period not to exceed 3 years. The administration requested an extension from June 30, 1959, through September 30, 1961, or for 2 years and 3 months. The committee found that there was sufficient justification to reach a conclusion that we would not be getting cut-price rates on missiles any time within the next 4 years, nor could we expect any of these highly technical instruments for present day defense to become what we describe as standard commercial articles in anything less than 4 years.

The committee felt that there was sufficient evidence to justify an extension of this program for such period of time as we could see into the future when such a program would be needed, and very frankly, I am pleased that the committee did see fit to extend it for 4 years.

The other day when we were in the Rules Committee the question came up about the relationship of this program and the program of the draft reported from the Committee on Armed Services earlier this year. As you know, we extended the Selective Service Act for 4 years. The very same factors that caused the House to reach a conclusion that the draft should be extended for 4 years, in my opinion, clearly justify an extension of renegotiation for at least 4 years. It is the same world situation that is causing us to draft young men into the service, that cause us to be in the market for missiles and other commodities under our defense program, about which we do not know the price, and for which, without some form of renegotiation such as we are proposing, we might be paying excessive prices. So I say there is a relationship, in my opinion, between these two programs, certainly in the background, and certainly in the justification that I see to exist for both programs for a 4-year extension.

Mr. EVINS. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I yield to the gentleman.

Mr. EVINS. Mr. Chairman, I would say to the Chairman that I serve on the Committee on Appropriations that handles the annual budget for the Renegotiation Board. Each year they come before the committee asking for about $2½ million or $3 million for their operating fund. I have just obtained from the clerk of the committee the figures on returns to the Treasury from operations for the past few years, and I might supply them.

In 1958 there were refund determinations in the amount of $112 million. In 1957 there were refund determinations in the amount of $151 million; in 1956, $132 million; and in 1955, $167 million.

That is a rather substantial return on the amount of outlay for this Agency. It serves a very useful purpose and brings money into the Federal Treasury.

Mr. MILLS. There is no question, as has been clearly demonstrated by the reports of the Committee on Armed Services, by the statements of the Chairman of the Committee on Armed Services and others, that renegotiation is an integral part of this over-all defense procurement program. It was so pointed out to the committee during the course of the hearings by the spokesman for the Department of Defense and the spokesman for the administration, the General Counsel of the Department of Defense.

If we do not extend the program what happens? The provisions of the Vinson-Trammell Act which has been on the books for a number of years would again come into operation. The provisions of that program specify a 10-percent profit limitation on contracts for naval vessels, and a 12-percent limitation on contracts for Army and Navy aircraft. Under present circumstances that program is not sufficient to assure us, in my opinion, in the light of the fact that in some industries Government investment in equipment is very heavy, that we would recapture all of what would otherwise be excessive profits. I think the author of that program will readily admit that even though it would come into effect if this program should expire, that renegotiation itself should be continued rather than to permit these mechanical formulae of the Vinson-Trammell Act to go into effect. And it today stands as very good evidence of what I was trying to point out earlier, that you cannot develop within the renegotiation process, these mechanical or mathematical formulae, such as was suggested during the course of the hearings, with any certainty that you will get back what would otherwise be excessive profits.

The bill contains a number of other provisions. But before mentioning them, I want to assure the members of the committee and of the House that there is not a provision contained in this bill that was not thoroughly considered, thoroughly developed within the Committee on Ways and Means during these exhaustive executive sessions. Except for the 4-year extension there is not a provision in this bill that did not go into the bill by almost unanimous consent, if not by unanimous consent. There is not a provision in this bill that was not completely supported by the representative of the Department of Defense in our executive sessions and by the administration; that was not supported by the Chairman of the Renegotiation Board and by the General Counsel of the Renegotiation Board. In fact, ideas were discussed and language was developed as these ideas were discussed. They generally were developed by people from the departments, working with us, not by our own staff but by others from the departments. They asked: Does this language carry out what you are endeavoring to say? In every instance, we finally agreed that was the way we and they wanted the language to read.

Mr. Chairman, I am including as a part of my remarks at this point a letter from the General Counsel of the Department of Defense, Mr. Robert Dechert, and a letter from Mr. Thomas Coggeshall, Chairman of the Renegotiation Board. The Department of Defense endorses and supports H.R. 7086 and its provisions and recommends its enactment in its present form.

The letter from the Chairman of the Renegotiation Board concludes as follows:

> The Renegotiation Board, therefore, desires to express its unqualified approval of H.R. 7086.

The letters are as follow:

GENERAL COUNSEL OF THE
DEPARTMENT OF DEFENSE,
Washington, D.C., May 19, 1959.

Hon. WILBUR D. MILLS,
Chairman, House Ways and Means Committee.

DEAR MR. CHAIRMAN: As the representative of the Department of Defense and spokesman for the administration in the hearings before your committee in connection with the extension of the Renegotiation Act of 1951 recommended by the President in his budget message of January 1959, I write this letter to urge the passage of the bill extending the Renegotiation Act, in the form which resulted from the hearings before your committee (H.R. 7086, introduced by you on May 12, 1959).

H.R. 7086 is not the exact form of the extension which we recommended, but in our judgment the additions and changes made as a result of the thorough consideration of this matter by your committee are entirely acceptable and have, in fact, improved the proposal.

This Department uses all available means in the ordinary contracting processes to assure economy in procurement. However, many of the items which have to be procured under existing world conditions involve such unknown and unknowable factors as to make it impossible to establish in advance the certainty and reasonableness of costs. The Congress has already established the proposition that the final review of the question of whether excessive profits have been made ought to be by a single agency, such as the Renegotiation Board. In the present state of the world, with the Department of Defense budget representing such a large portion of the national budget and with our procurement including so many varied items involving unknown elements of cost, it is our belief that for the present the operations of Government require the contribution of the processes of the Renegotiation Board. Renegotiation is not a crutch to support improper procurement methods but is a means of protecting the Public Treasury in connection with matters as to which no one is wise enough to know with certainty in advance.

Because we feel that this whole subject ought, within a reasonable time, to be once more reviewed by the Congress we did not recommend making the act permanent. The proposed 4-year extension seems to us to represent a reasonable period for continuation of the act at this time.

The Department of Defense endorses and supports H.R. 7086 and all its provisions and

recommends its enactment in its present form.

Sincerely yours,

ROBERT DECHERT,
General Counsel.

THE RENEGOTIATION BOARD,
Washington, D.C., May 19, 1959.

Hon. WILBUR D. MILLS,
Chairman, Committee on Ways and Means, House of Representatives, Washington, D.C.

MY DEAR CHAIRMAN: I am authorized to advise you formally that the Renegotiation Board approves the provisions of H.R. 7086, as reported by the Committee on Ways and Means.

The Board believes with the Department of Defense that the extension of the Renegotiation Act of 1951, as provided in the bill, is in the public interest, and that the other provisions of the bill would aid and improve the renegotiation process. As you know, all these matters, and many others, were thoroughly considered by the committee in its extended public hearings and executive sessions just concluded, and the Board is satisfied that the bill, in its selection of amendments drawn from this examination, is a constructive step forward.

The Renegotiation Board therefore desires to express its unqualified approval of H.R. 7086.

Sincerely yours,

THOMAS COGGESHALL,
Chairman.

The bill does make a number of limited amendments to the renegotiation statute designed to improve the operation of the process and in some cases to bring the statute more closely into line with current practice.

The bill amends the statement of statutory factors for determining excessive profits. The first amendment specifies that consideration is to be given to the contractual pricing provisions and the objectives sought to be achieved thereby. This provision has specific reference to arrangements such as the so-called incentive contracts which unlike cost plus contracts involve not only opportunities for larger profits but also risks of lower profits or losses. The expansion of the statutory factor will require the Renegotiation Board to take this risk-incentive situation into account in judging the final profit. The Renegotiation Board stated to the committee that this is done in current practice.

The bill also amends the statement of the net-worth factor. The committee received criticisms on both sides of this issue arising from the wording of the net-worth factor under present law which is net worth with particular regard to the amount and source of public and private capital employed. As a logical matter, net worth and capital employed are quite different things. Capital employed includes borrowed funds, for example, which are not in net worth. With this confusing statement in the law, there has been much criticism on the one hand that the law looks too much at the net-worth factor without adequate consideration of the amount of private capital employed and on the other hand that the Board does not look enough at the net-worth factor and gives too much consideration to public and private capital. The committee amendment is designed to make clear that there are two distinct factors here, net worth and public and private capital employed, and both are to be given distinct consideration.

The bill provides a 5-year carry-forward of losses on renegotiation business equivalent to the 5-year carry-over of losses allowed for tax purposes. It was pointed out to the committee that in defense contracting it is extremely unlikely that such a long carry-forward of losses would be needed to provide sufficient income to offset the experience of the bad year, but the committee felt that, if needed, this long period should be available.

To improve the renegotion procedure, the bill requires that the Board should furnish to the contractor the statement of reasons and of facts used by it in arriving at the determination of excessive profits before the Board enters its final order if the contractor requests the statement at that time. This procedure will assist the contractor in deciding whether to enter into an agreement with respect to the determination of excessive profits or to insist upon a unilateral order from the Board. The bill also requires the Board at or before the time it furnishes this statement of facts and reasons to make available to the contractor all documents furnished to the Board by the contracting departments which relates to the renegotiation proceeding so long as the disclosure is not forbidden by law.

Section 5 of the bill deals with the review of renegotiation proceedings by the Tax Court. It was intended in the renegotiation law that a Tax Court proceeding should be de novo. This is because the basic proceeding of the Renegotiation Board itself is not a formal adversary proceeding with a record. A strict review of the case then would require a complete hearing which would build up its own record. There were complaints brought to the committee that the Tax Court hearings tend to have a character of a review of the determination of the Renegotiation Board. The bill makes it clear that this Tax Court proceeding is to be completely de novo.

Finally, the bill provides for appeal to the U.S. Circuit Court of Appeals for the District of Columbia to review Tax Court decisions in renegotiation cases. It is the intention of this review proceeding to permit a review of questions of law and not a new exercise of judgment as to the excessiveness of profits in the light of all of the facts. Specifically, the bill provides that the court of appeals shall have the power to affirm or, if the decision of the Tax Court is not in accordance with law, to reverse the decision of the Tax Court and to remand the case for such further action including a rehearing as justice may require. It is quite specific that the court of appeals is not to have a complete review of the case and a new exercise of judgment. The court of appeals will, however, be able to review questions of law.

Mr. Chairman, a question has been raised about certain other provisions in the bill, as to whether or not the committee may have been loosening the law in some respects. Let me say this, Mr. Chairman, I have always taken the position that no person should be left at the mercy of a Government agency and its decision, without some right of review and some right of appeal to the courts of this country in the event they do not think they are obtaining justice in that Government agency. In many instances we do not provide for that, I know, but when we had an excess profits tax, we provided for appeal. For some time past we provided for an appeal from the decision of the Renegotiation Board to the Tax Court. We said we wanted the Tax Court to hear that case de novo, in other words, to start off anew as though there had been nothing before and to let the evidence be submitted because there was no formal submission of evidence before the Board. There is no formal record kept or anything of that sort. Despite our intention, it is contended by people who are very responsible in the practice of law, and who have been before the Tax Courts in these cases, that actually the proceeding is more in the nature of a review than in the nature of a de novo proceeding. There is a lot of difference, as my friend, the gentleman from Oklahoma who is a very distinguished member of the bar knows, in this question of a review of something where there is no record kept and where there is no formal evidence presented or no evidence submitted under any rules, and a hearing in a Tax Court de novo. We have tried in this bill to reestablish the original intent which the Congress had with respect to this hearing in the Tax Court being a de novo proceding.

In addition to that, we have taken one further step that we took last year when we extended this bill for a period of 6 months as it passed the House. Under existing law, there is some question about the grounds for possible appeals from the Tax Court; however, I think it is generally agreed that an appeal may be taken to the Circuit Court of Appeals from the Tax Court on the grounds of constitutionality, and on the grounds of jurisdiction. Here we are doing what we did last year when the House passed this program for 6 months without any controversy at that time. We are providing in the bill that the contractor may appeal a decision of the Tax Court to the Circuit Court of Appeals in the District of Columbia on a point of law, and that only. At the same time, however, we have very carefully protected against the exercise of a third judgment on the facts in the Circuit Court of Appeals. We have said that the court may affirm a decision of the Tax Court, but if it does not think it should be affirmed on the law, then it may be remanded to the Tax Court for further consideration within the provisions of the law to obtain justice. But, the Circuit Court of Appeals is expressly prohibited from making a third judgment on the facts. We want the judgment on the facts exercised either by the Renegotiation Board or in the Tax Court where the same judgment was being exercised when we had an excess profits tax.

Now, Mr. Chairman, by and large I agree with what the General Counsel

of the Defense Department said; I agree with what the committee has said; I agree with what the Chairman of the Renegotiation Board said. Every part of this bill should have the unqualified support of the membership of this House, including the 4-year extension. I admit that that is probably a troublesome area for some, but if you can give us any assurance, if you can give me any assurance, that this program is not needed for the same period of time and for possibly the same reasons that other military programs that we have already enacted in this Congress are needed, then I would like to have those assurances, because I, too, would like to feel as though an extension for a shorter period of time were safe. I hope the committee will see fit to support the Ways and Means Committee in this bill and in all the amendments adopted to it.

Many of the other amendments that have been adopted are merely the writing into law of certain things already covered in the regulations and present practices of the Board; and these things will not make any difference with respect to the exercise of judgment or interpretation, because they are already being considered under present regulations.

There is one additional matter to which I draw your attention: some people have said that we have made a mistake in the change which we recommended to one of the statutory factors. The change referred to is on page 2 of the bill, lines 10 through 14. It would amend section 103(e)(2) of existing law which presently provides that a factor to be considered and to be weighed is: "The net worth, with particular regard to the amount and source of public and private capital employed." The amendment would simply distinguish and clarify the points involved.

I leave it to the judgment of any reasonable person as to the significance of a statement that we have erred. "Net worth" does not include all private capital. "Net worth" certainly does not include public capital. Those things have been interpreted all along as two separate points within a single factor.

As a matter of fact, when this legislation was initially passed in 1943 the law then contained the distinction which we are now reaffirming in the statute. That law read:

Amount and source of public and private capital employed and net worth.

What we are doing in this bill is trying to develop the point that we want net worth, we want private capital, we want public capital, all of them distinctly considered, every one of them weighed.

The Department of Defense fully concurs with the committee's view on this matter. I include here a letter which I received from the honorable Robert Dechert, General Counsel, Department of Defense, on this very point:

GENERAL COUNSEL OF THE
DEPARTMENT OF DEFENSE,
Washington, D.C., May 26, 1959.

Hon. WILBUR D. MILLS,
Chairman, House Ways and Means Committee.

DEAR MR. CHAIRMAN: It is my understanding that a question has been raised as to the intent and effect of the amendment contained in section 2(b) of H.R. 7086, a bill "To extend the Renegotiation Act of 1951, and for other purposes," which was reported favorably by your committee on May 14, 1959. As stated in the report of the committee, the Department of Defense and the Renegotiation Board approve the provisions contained in that bill.

Section 2(b) of H.R. 7086 would amend paragraph (2) of the second sentence of section 103(e) of the Renegotiation Act to read as follows:

"(2) The net worth, and the amount and source of public and private capital employed."

The existing language of that paragraph now reads:

"(2) The net worth, with particular regard to the amount and source of public and private capital employed."

It is to be noted that paragraph (2) would be amended by deleting the words "with particular regard to" and by substituting in place thereof the word "and."

Section 103(e) of the act, as you know, sets forth the factors to be considered by the Renegotiation Board in determining whether a contractor or subcontractor has realized excessive profits. One of these factors is the so-called net worth factor contained in paragraph (2) as quoted above. The intent of the proposed amendment is not to effect any substantive change in this factor but to clarify the existing statutory language. A determination of a contractor's net worth is actually something separate from a comparison of the amount of private capital employed and the amount of public or Government capital employed.

The purpose of the proposed amendment is to make this distinction clear. However, there is no intention to deemphasize the importance of evaluating the amount of public and private capital employed in determining whether a contractor has realized excessive profits. As stated by the Renegotiation Board in its regulations (section 1460.11), a contractor who is not dependent upon Government or customer financing of any type is entitled to more favorable consideration than a contractor who is largely dependent upon these sources of capital.

In this connection, it is interesting to note that the Renegotiation Act of 1943, as amended, in setting forth statutory factors substantially similar to those now contained in section 103(e) of the current act stated the factor now under consideration in substantially the same manner as proposed in the amendment (58 Stat. 79). In the 1943 act, the factor read:

"(iii) Amount and source of public and private capital employed and net worth."

I have discussed this matter with the Chairman of the Renegotiation Board who concurs in the views expressed in this letter.

Sincerely yours,

ROBERT DECHERT,
General Counsel.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I yield to the gentleman from Colorado.

Mr. ROGERS of Colorado. Did the gentleman's committee discuss the negotiated contracts, where profits are certain, and the same persons then bid on other items and use the tremendous profits to bid lower than a fair price? Was that discussed in the committee?

Mr. MILLS. The problem to which the gentleman from Colorado refers was studied during consideration of the 1956 amendments. While the situation which the gentleman suggests is theoretically possible, in practice we found that the timing requirements practically eliminated such devices being resorted to. Contractors do not have sufficient time to juggle profits in this manner during a single year to which renegotiation refers. Actually, if that sort of juggling were attempted, the Renegotiation Board has ample discretion, under the statute, to deal with the underlying facts.

Mr. ROGERS of Colorado. Is it not true on the renegotiation settlement provided in this law and as amended, that you take the overall picture of the profit that is made by the company or the individual in arriving at whether or not he should be negotiated down?

Mr. MILLS. That is right.

Mr. ROGERS of Colorado. I reiterate. If you take the overall picture in one instance he is given a negotiated contract which gives a tremendous profit, then when he comes in in competition with small business, so to speak, and bids on an article, he can afford to take a loss because the two can then be evened out?

Mr. MILLS. If I understand the gentleman, I believe the point I have already made is responsive to the gentleman's question, but also the gentleman will be interested, I am sure, in language that we have written in the bill as a further factor to be considered, when we say: "Manpower, contractual pricing provisions and the objectives sought to be achieved thereby, and economies achieved by subcontracting with small business concerns:

All of those things, in addition to the factors in existing law, must be taken into consideration. So in the situation which you described in all probability the Renegotiation Board can, under this act, make a differential between types of renegotiable contracts and profits gained from different contracts, though they are renegotiating with respect to the full year.

Mr. ROGERS of Colorado. I take it from the gentleman's answer it is possible under this law, and the intent of the committee is that if a contract is made where a tremendous profit results, that thereafter he bids a price below the price in the market and loses money, the Renegotiation Board has the right to consider each contract separately?

Mr. MILLS. The law specifically provides now that renegotiation has to be carried out on the basis of a year's business—it is the total of the business—but in determining what to do about that whole year's business, certainly the Board under this can give consideration to the different kinds of contracts which are being engaged in by the contractor with the Government. I would say it would be possible under this for the Board to say that we may take more from you under your renegotiation contract than we would otherwise take or to give you more under the negotiated contract.

Mrs. GRIFFITHS. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I yield to the gentlewoman from Michigan.

Mrs. GRIFFITHS. I would like to inquire with reference to section 2(a). Does that not mean that the Renegotiation Board will have to consider in renegotiations incentive contracts?

Mr. MILLS. No. If the gentlewoman will look at the language under the Ramseyer rule, this is an amendment to section 103. On page 14 of the report we say this:

In determining excess profits favorable recognition must be given to the efficiency of the contractor or subcontractor, with particular regard to attainment of quantity and quality production, reduction costs, economy in the use of materials, facilities, and manpower.

The representatives of the Renegotiation Board tell us, and did tell us during the course of the hearings, that this language itself requires them to look at whether or not there is incentive, whether or not the contract provides for gain in the event there is a reduction in cost. They tell us that what we have put in here does nothing more than carry out the existing practices of the Renegotiation Board. They have been looking to these incentive contracts, they have been allowing additional profits under the incentive contracts where reduction in cost to the Government has been obtained as a result of efficiency. They told us that in committee. I am prone to believe that they know what they are doing and that their answer is correct. So I do not take this language to mean that we are doing anything more here than what they have been doing in their practice all the time. And, very frankly, whenever the Government can by an incentive contract, which is permitted by the Department of Defense, reduce the cost in the procurement of materiel for the Government by giving the contractor some incentive to make a little more profit, I have no objection to that, and I am sure the gentlewoman from Michigan has no objection to it. The question is one of judgment, how much of that will you allow. The Renegotiation Board may say, "If you save a dollar we are going to give you 20 cents out of it and take back 80 cents of it."

Mrs. GRIFFITHS. May I ask another question, Mr. Chairman? The saving is from the bid price?

Mr. MILLS. The saving is from the negotiated price.

Mrs. GRIFFITHS. The saving is from the bid.

Mr. MILLS. And the saving must result from the efficiency of the contractor, not as a result of some price drop; not as a result of something that the Government may have done or something over which the contractor has no control. But, it must be something that the contractor has done that brings about a reduction in the cost below what the Government thought it might do.

Mrs. GRIFFITHS. That is, if the contractor estimated that he was going to waste 10 percent of the steel that he purchased and then he wasted only 5 percent, he gets a saving?

Mr. MILLS. Not what the contractor estimates but what the Department of Defense agrees, the initial pricing, should be the price for whatever we are buying. If, in the process of carrying out such a contract, the contractor can reduce that price by his own effort, through his own ingenuity, then it is the policy of that contractor to get an advantage of, say, 20 cents out of the dollar saved and the Government to get 80.

Mrs. GRIFFITHS. So that we may not quibble over words, if the wastage on steel would be 10 percent and the contractor then wasted only 5 percent, he is permitted some part of this saving; is that right?

Mr. MILLS. If the contractor's efficiency reduces the price, yes.

Mrs. GRIFFITHS. If it reduces the price?

Mr. MILLS. If it reduces the price to the Government. And, I would like to ask my distinguished friend from Michigan if she knows of any other way. I certainly do not, and I do not think the committees of Congress charged with the procurement program of the Department of Defense can come up with any better way of bringing about a reduction in the cost of Government in this defense program than to try to provide the American free enterprise system with an inducement to reduce costs, to bring down the cost to the Government. Let us work as best we can on our side but let us also give them an inducement; let us give them something to cause them to work shoulder to shoulder with us, because all of us know that this program is very, very expensive at best, and without this as another arm, along with procurement, I dare say that it would cost grievously more. And, very frankly, we equivocate about words. The important thing is to get on with an extension of this program. We are undertaking to extend it for a longer period of time than it has ever been extended, and nobody can show where there is anything in this bill that takes away from the Renegotiation Board its exercise of free judgment in the determination of whether or not this is reasonable or whether it is unreasonable. There is nothing here. Oh, you might say, "Yes, you have provided for a 5-year carryover on losses." Why should not a person who is dealing with the Federal Government who suffers a loss in one renegotiation year have that loss considered in connection with the determination of whether or not he has an excessive profit 5 years from then? We started out with 1 year, we raised it to 2. We provide this same carryover of losses with respect to income tax. I think it is fair and equitable here. I commend the bill to each and every member of the committee and wish support of the membership of the committee.

Mr. MORRIS of Oklahoma. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I yield to the gentleman from Oklahoma.

Mr. MORRIS of Oklahoma. I just want to express my sincere appreciation to the gentleman for having referred to me a few minutes ago as an attorney and jurist. I certainly do not claim to be a great lawyer or a former great jurist. But, I have had some experience in the trial of lawsuits, and I will say that there is certainly a world of difference between a trial just in review and a trial de novo. I listened very carefully to what the distinguished gentleman has said, and he certainly is a most distinguished gentleman, the chairman of the great Committee on Ways and Means, a man who has had many years of experience in the field of taxation. I have studied this matter carefully and I have listened to the gentleman, and I do agree with the gentleman fully that there certainly is a great difference between a trial just in review and a trial de novo.

The CHAIRMAN. The time of the gentleman from Arkansas has expired.

Mr. SIMPSON of Pennsylvania. Mr. Chairman, I yield myself 17 minutes.

Mr. Chairman, I think the goal which we must seek in this land of ours with respect to the great effort we are making in behalf of national security should be to do so within the framework of the traditions and concepts under which our country has in the past prospered and grown great. And, perhaps the use of the words "certainty under law" has been the little phrase which has meant most in letting the people of our country know what their responsibilities and their liabilities may be. Because I believe that this program we are now considering, namely the Renegotiation Act, tends to break down the element of certainty which is so important to American business as it undertakes to meet the crises confronting the freedom-loving people of the world today; because I believe that the Renegotiation Board uses arbitrary power, with no practical limitations upon its rights in the initial stages to determine whether or not a company owes moneys back to the Federal Treasury, I am opposed to the renegotiation process as we now know it from experience.

H.R. 7086 proposes to make a 4-year extension of the renegotiation authority to June 30, 1963. This unprecedented term of extension is objectionable to me because it, in effect, means that for the duration of this 4-year period Congress will not actively review the administration of the law by the Renegotiation Board. I will have more to say on this subject later in the debate at which time I propose to offer an amendment to the bill providing a more reasonable 2-year and 3-month extension of the authority.

I would commend my committee chairman and my committee colleagues for the able and diligent work they performed during the work on this bill in executive session. We have, I believe, included in H.R. 7086 many improvements and clarifications with respect to the Renegotiation Act and its administration. Examples of these improvements may be briefly stated as follows:

First. Emphasis is given to the need for more adequate recognition of incentive features of contracting procedures and the recognition of economies achieved by contractors and subcontractors. We have given encouragement to subcontracting to small business concerns.

Second. Clarification is given to certain enumerated factors to be taken into account in determining "excessive profits" with regard to the items of net worth and the amounts of public and private capital employed.

Third. The Renegotiation Board will be required to furnish a contractor information with respect to the Board's evaluation of contractor efficiency and the other factors required to be taken

into account in determining excessive profits.

Fourth. A 5-year carry forward of losses on renegotiable business is substituted for the existing 2-year carry forward period.

Fifth. Statutory provision is included in the bill to require the Board to furnish a contractor upon his request prior to the making of an agreement or the entry of an order of the "reasons and facts" used in arriving at a determination of excessive profits.

Sixth. The Board is required at or before the time it furnishes the aforementioned statement of facts and reasons to make available for inspection by the contractor information furnished to the Board by an executive department named in the act to the extent such information may relate to the renegotiation process in which the contractor is involved provided the disclosure thereof is not prohibited by law. Improvements have been made to assure the de novo character of proceedings before the Tax Court in renegotiation cases.

Seventh. For the first time appellate review is provided in renegotiation cases similar to the review available in tax cases decided by the Tax Court except that the Court of Appeals for the District of Columbia has been designated as the reviewing court. This review will be in addition to the review that is available under existing law with respect to jurisdictional or constitutional questions.

The foregoing enumeration highlights the principal changes that would be made by H.R. 7086.

Mr. Chairman, these are significant improvements in the Renegotiation Act. However, they will be significant only if they are properly administered consistent with the intent of Congress. During the hearings held by the Committee on Ways and Means on this subject serious allegations were made that the congressional intent in the past has been disregarded by the Renegotiation Board in administering the act. Accordingly, I think it important that a more timely review of the law and its administration should occur than would be likely to occur if the authority is extended for a 4-year period.

I am personally convinced that the Renegotiation Board has in fact found "excessive profits" when none existed. I am convinced that the Renegotiation Board has not given proper recognition to contractor efficiency and to the incentive element in defense contracts. These shortcomings in administration of the authority have had a serious impact on the effectiveness of our Nation's defense effort. These shortcomings have discouraged efficient producers from being willing to undertake defense business. They have impaired the availability of private capital to defense industries with the result that the Federal Government has had to provide the capital necessary for industrial expansion.

Testimony was presented to the Committee on Ways and Means contending that the renegotiation process has actually detracted from the capability of our industrial capacity to make its maximum contribution to our national security. These are grave charges; charges that were not refuted; charges that argue convincingly against a protracted extension of the renegotiation authority.

Renegotiation is a factor in defense procurement which tends to induce carelessness; yes, gross carelessness in connection with those who are charged with the obligation of making the contracts under which the materiel for our military forces is made available. Rather than getting together and negotiating with skill, recognizing that the outcome of the negotiations will be final, we find the negotiators representing the companies and the Government, allegedly negotiating to reach a price which is, in fact, nothing but a broad guide. The contractor ultimately winds up remaining subject to the will and the whim—and that is what it is—of a Renegotiating Board with discouraging and deterring an effect upon those who are risking their productiveness in order to build up the free enterprise system which in the final analysis is the best defense for the security of the United States.

I repeat that this type of legislation breeds carelessness in the creation of contracts. I point to the fact that for years and years the excuse made to the Congress each time the gentlemen from the Renegotiation Board come to our committee, is that, "Oh, well, we do not know what we are doing when the contracts are made; we are going into a new field; we are traveling an untrodden path to reach a firm price." To the extent we cannot know in advance what a reasonable price should be. I have no major complaint with the renegotiation process. But I do object to the fact that as a result of that negotiation, when an agreement is made between a contractor and the Government and the company by its efficiencies makes the final product considerably cheaper, then the incentive which is mentioned in the contract to persuade the American company in a competitive manner to do a job better, is taken away from that American contractor.

Oh, it is said that this Board, these men, will recognize that the individual has worked hard and has saved the Government some money. It is said they will let him have some of that which he has saved to the benefit of the Nation, and at the same time they will guarantee him one-fifth of that which he saves. If you are prone to use a pencil and figure mathematically, it can be proved that by taking the careless approach and wasting money, by not utilizing the incentive sections of the contract, the profit of the inefficient contractor may be greater than that which the contractor gets who endeavors earnestly, through the use of incentive payments, to save money. The reason for such an undesirable result is that this Board, taking into consideration the many factors which it may consider and on which it arbitrarily arrives at a conclusion, may decide that the man, who utilized the great effort in an incentive endeavor is not to share in the benefit of that effort on his part. And when he does not receive it, it is the American taxpayer who suffers. That is why I do not approve the renegotiation process in its present form.

In view of the many amendments placed in the bill by the committee at the present time and in view of the unsatisfactory past administration of the law, I think it is unwise for us to approve a 4-year extension of the renegotiation authority. If we approve the 4-year extension we will be permitting this Board to operate without any effective review in any detail by any committee of the Congress having this legislation within its jurisdiction. How much better to do as we have done in the past, recognize that to the extent any form of renegotiation may be justified, it must be subjected to continuing review on the part of the Congress. Recognize that renegotiation is an unusual activity within our Government and that it is something which requires the watchful eye of a committee of the Congress at all times. I do not want to see the businesses of this country in the great area where renegotiation is deemed necessary, namely, those areas where we are experimenting today in the field of electronics and the space agencies and the great aircraft industries and missiles industries—as I say, I do not want to see the companies that are now engaged in working in those areas to be forced into a situation where in order to obtain capital and to have the dollars necessary to buy the machines which they must use to make their final product, forced to come to the Government with their hand out as they must do today in order to get the expansion and working capital to provide for the defense of our country. I want them in a free competitive manner to look to the American people for private capital. I think the American people instead of paying money out in taxes first so the Government can lend or give the money will invest their private capital in these vital industries. Then in the long run through the exercise of the competitive influence in government and in our economy, our American taxpayers will prosper because instead of having one company make a certain type of airplane, we will have two or more endeavoring to get into that area of business. Thus, the deadening hand of Government will not be dictating to management that which must be done if that industry is to get the contract.

Mr. WESTLAND. Mr. Chairman, will the gentleman yield?

Mr. SIMPSON of Pennsylvania. I yield.

Mr. WESTLAND. I appreciate very much the discussion that the gentleman from Pennsylvania is giving on this subject. It is extremely interesting to the people of the State of Washington. I would like to ask the gentleman one or two questions. First of all, I would like to ask the gentleman: What are excessive profits?

Mr. SIMPSON of Pennsylvania. That question has been asked many times by many people without any definition. There is no means of knowing. It is, in fact, an amount of money determined by a board who, after all, are individual citizens who reach a conclusion that "X" number of dollars is excessive in a certain instance whereas in another instance it would not be excessive.

Mr. WESTLAND. So this determination of what excess profits are is up to this Renegotiation Board; is that correct?

Mr. SIMPSON of Pennsylvania. That is correct. Having reached a conclusion as to excessiveness, the levy or the assessment is made against the contractor. Now we are told the contractor may go to the courts. The months or years incident to the determination as to whether or not the levy was proper is, of course, injurious to the company. First of all, may I suggest that the company having decided to go to court, in my judgment, thereby gets a black eye insofar as the negotiators are concerned who may be considering giving a new contract to that company. If I were managing a company of that type, before I went to court, I would think carefully as to whether it would be wise on my part to jeopardize my company or to antagonize the gentlemen of the review board or those in the procurement area of our government by daring to fight that agency and the levy they made against me as an assessment.

Mr. WESTLAND. If you and I, for example, were to enter into a contract, with you as purchaser and myself as vendor, I would assume that you had examined my product carefully and that you had done your best to obtain this product at the cheapest price possible, and when we finally entered into a contract and at the conclusion of that contract when I had delivered this contract to you, upon which I at least hoped to make a profit at the time of the sale, as a private individual would you be able to come back to me and say, "Now we are going to renegotiate this because instead of making 6 percent or 8 percent, you have made 10 percent or 12 percent and, therefore, you should kick it back"?

Mr. SIMPSON of Pennsylvania. Of course not. I would expect you to keep what profit you make and if I lose money, then I would have to lose it.

Mr. WESTLAND. That is my argument.

And, further, should we not assume that the purchasers and the procurement people of the Federal Government are equally as interested in obtaining these products at the lowest possible price from the vendor?

Mr. SIMPSON of Pennsylvania. I do assume that. I would like to point out the case that was illustrated to the committee with respect to the atomic submarine. I cannot go into the details here, but we were told in some detail that every contract involving everything used in the building of that experimental submarine was the result of competitive bidding.

Mr. WESTLAND. We frequently hear in the Congress here criticism against the cost-plus type of contract.

Cannot this renegotiation area lead into just exactly the situation where the contractor would prefer to have a cost-plus type of contract rather than one subject to renegotiation where he is taken in and overhauled if he has made a profit?

Mr. SIMPSON of Pennsylvania. Certainly you and I know that no businessman will remain in business unless he can make a profit one way or another. If he cannot get it by negotiated contract he will endeavor to get it by a cost-plus contract.

Mr. WESTLAND. One further question: Is it possible to write guidelines through the committee?

Mr. SIMPSON of Pennsylvania. The committee tried earnestly and sincerely to write guidelines for the Board. I have to agree with the distinguished chairman, I think, that he stated accurately his opinion that it is impossible for us to set down in black and white detailed guidelines. There is a degree of discretion which is within the Board and must remain within the Board. And here I come back to where I started out: The very fact there is discretion in the Board, in my judgment, is the greatest argument for the Congress' retaining its control over this legislation and certainly for not granting an extension now for a longer period of time than we in the past ever extended this act.

Mr. WESTLAND. May I just conclude by saying that I hope this committee will keep this under active consideration?

Mr. SIMPSON of Pennsylvania. I hope so, too.

Mr. WESTLAND. I, for one, am completely dissatisfied with the way this thing operates at the present time.

Mr. SIMPSON of Pennsylvania. I thank the gentleman and I will say to the gentleman that I propose to offer an amendment extending the act for 2 years and 3 months instead of the 4 years proposed in the bill.

Mr. EVINS. Mr. Chairman, will the gentleman yield?

Mr. SIMPSON of Pennsylvania. I yield to the gentleman from Tennessee.

Mr. EVINS. The original renegotiation proposition started in 1942. Since that time the Renegotiation Board reports that several million dollars have been returned to the Treasury by contractors on a voluntary basis. If we did not have the law there certainly would be no voluntary returns to the Treasury.

In addition to the voluntary refunds, of course, the Renegotiation Board brings other returns.

My point is that if we did not have any law we would not even receive voluntary returns on these enormous contracts.

Mr. SIMPSON of Pennsylvania. May I say to the gentleman that where the parties to the making of a contract are so completely inefficient that they create a situation where they take in an excessive amount of money, in my judgment it indicates the grossest kind of negligence and carelessness in the preparation of the contract. In the first place, those who undertake to make a contract should be able to arrive at a fair and sound price.

I think that what is happening in this area today is that the people charged with procurement are saying: "Well, we will discuss this matter, we will get together on an amount. Whatever mistakes we make will be corrected by this Board; we will pass the buck to them."

I do not like that kind of contract negotiation.

Mr. EVINS. Whether you have efficient contracts or whether you have inefficient contracts, if we did not have such a law on the statute books experience shows that none of the excessive profits would be returned to the Treasury.

Mr. SIMPSON of Pennsylvania. I thank the gentleman.

Mr. Chairman, I suggested a minute or so ago that the one amendment I shall offer will have to do with the period of time which this act is to be extended. I propose to present an amendment which would extend this act for 2 years and 3 months, which is the period of time asked for by the Administration when its request for this legislation was made.

Mr. Chairman, I reserve the balance of my time.

Mr. MILLS. Mr. Chairman, I yield 45 minutes to the gentleman from Georgia [Mr. VINSON], chairman of the Armed Services Committee.

Mr. VINSON. Mr. Chairman, I want to thank the distinguished gentleman from Arkansas, the chairman of the Ways and Means Committee, for being so generous in permitting me to address the Committee this afternoon for 40 minutes. I am very grateful.

It is with great reluctance, but nevertheless with firm determination, that I rise to oppose every provision of H.R. 7086, except the first section which extends the Renegotiation Act for a period of 4 years.

Mr. Chairman, I want to take this opportunity to compliment the Committee on Ways and Means for being candid in its report concerning the purpose of the proposed amendments to the Renegotiation Act.

If you will turn to page 1 of the report you will find that the Committee on Ways and Means states that the amendments which are proposed "will be of benefit to industry."

So at the very outset, let us understand that, in the words of the Ways and Means Committee, we have here a bill for the benefit of industry.

Mr. CURTIS of Missouri. Mr. Chairman, will the gentleman yield?

Mr. VINSON. I yield to the gentleman from Missouri.

Mr. CURTIS of Missouri. I wonder if the gentleman will read the following sentence.

Mr. VINSON. I will read it.

Mr. CURTIS of Missouri. Read the full sentence.

Mr. VINSON. It says:

> For the benefit of industry and in the hope of better administration.

Mr. CURTIS of Missouri. May I quote it for the gentleman?

Mr. VINSON. I will not yield any further.

Mr. CURTIS of Missouri. Quote it right, please.

Mr. VINSON. Mr. Chairman, this bill does not have a title. I suggest a title. The bill should be called "An act for the financial aid of some of the wealthiest defense contractors in the Nation."

Now, Mr. Chairman, the subject of excessive profits is one with which I have

great familiarity. I have been struggling with this problem since 1934, when the first law on the recoupment of excessive profits went into effect—the so-called Vinson-Trammel Act.

The Renegotiation Act of 1951 is an outgrowth of the Vinson-Trammel Act and other laws that have been in effect since 1934.

The sole purpose of the Renegotiation Act is to give the Government the machinery to recoup excessive profits made by defense contractors.

Now, I want to emphasize at the outset that renegotiation of defense contracts always takes place after taxes have been assessed by the Federal, State, and local governments. In other words, all taxes have been paid before the negotiators sit down at the table to discuss what is a fair and reasonable profit.

And when a contractor enters into a defense contract with the Government, there is a provision in the contract under which he agrees to submit to renegotiation.

The Renegotiation Board consists of five members appointed by the President and confirmed by the Senate. In addition to the Renegotiation Board, there are regional boards who first go into these matters.

Now just what does the Renegotiation Act seek to accomplish?

Well, its objective is to recoup, for the Government, excessive profits made by defense contractors.

You can compare this law, with speed laws. Let us take a speed law which says that the speed limit is 60 miles per hour. That speed is considered to be the maximum speed under which a vehicle can be operated safely; any speed beyond that is considered excessive.

Well, that is what the Renegotiation Act does with defense profits. The difference is that in the renegotiation procedure there are certain factors that have to be taken into consideration so that no firm percentage figure can be applied in advance.

But the net result is the same. The Renegotiation Board determines what is a fair and reasonable profit and its function is to recover for the Government, profits that are excessive and beyond, that which is fair and reasonable.

Now the Committee on Ways and Means has stated quite frankly that this is a bill which will be of benefit to industry.

Well, Mr. Chairman, just who is going to get this benefit that the committee wants to give away.

Well, in the main, it is the large defense contractors in the Nation and particularly the 12 largest airframe manufacturers in the country, because these companies have the great bulk of defense contracts dollarwise.

And, in addition, these are the companies that are being renegotiated and today have their cases in the Tax Court.

So the changes that are proposed in this bill are those that would be of benefit to these poor, struggling defense contractors.

Now let us see just how poor these companies are. Let us just see how much help they need from the Government. Let us see what changes are required in the law so that they can make even bigger and better profits.

Let us look at one of the largest defense contractors in the country: the Boeing Airplane Co. Boeing's profit after all taxes in 1958, was $29,360,000. In making that profit they used $145 million of their own money; and $245 million of Government facilities.

Just to give you an illustration of how badly off they are under the present Renegotiation Act, let me tell you this: in 1952 Boeing had a private capital investment of $34,570,000, and a gross Government investment in plants and facilities of $84 million.

Mr. WESTLAND. Mr. Chairman, will the gentleman yield?

Mr. VINSON. I yield to the gentleman from Washington.

Mr. WESTLAND. The gentleman stated that Boeing Aircraft made a profit of $29 million this past year. I would like to ask the gentleman on the basis of what gross sales that was.

Mr. VINSON. I have all that worked out, and I will put it in.

Mr. WESTLAND. You have it worked out?

Mr. VINSON. Yes.

Mr. WESTLAND. The gentleman mentioned a figure of $390 million. I wonder if the $29 million was made on gross sales of $390 million. I mean, if you make 10 percent on your money, which is a reasonable profit, $29 million would be less than that. Does the gentleman think 10 percent gross profit on sales is excessive?

Mr. VINSON. When Boeing had $245 million of Government facilities and had $145 million of its own, it made $29,330,000 profit after taxes in 1958. Now, if you want to show how much the percentage of profit was on its own capital investment, it is easy to calculate. But, I am lumping the two figures together to show you that even under those circumstances they made $29 million.

But from 1952 to 1958 Boeing was able to increase its capital investment on the basis of profits made almost entirely from Government contracts from $34 million to $145 million.

Does that sound like they are starving to death and need a financial relief bill?

Let us look at Douglas Aircraft Co. In 1957 they made a profit of $30,665,000 after all taxes. This was based upon a private capital investment of $111 million and a gross Government investment of $205 million.

In 1958 their profit dropped to a little under $17 million, but the private capital investment increased to $123 million and the Government investment increased to $215 million.

Back in 1953 Douglas had a private capital investment of $52 million, and a Government investment of $77 million. Douglas, therefore, has been able to increase its capital investment by 70-some-odd millions of dollars since 1953. Does that sound like they are starving to death and need special legislation for their benefit?

Let us look at Lockheed. In 1958 Lockheed had a profit, after all taxes, of $18,556,000, the largest profit after taxes since 1954. In 1953 Lockheed had a private capital investment of $57 million and a Government investment of $84 million. Today Lockheed has a private capital investment of $129 million and a Government investment of $130 million.

Let us look at North American Aviation. In 1958 it had a profit, after all taxes, of $26,286,000, based on a private investment of $91 million and a Government investment of $152 million.

But in 1953 North American Aviation had a profit, after all taxes, of $12,773,000, based upon a private capital investment of only $29,754,000 and a Government investment of $87,900,000.

Mr. Chairman, the hue and cry of the aircraft industry is that as a result of the renegotiation law they do not enjoy a net income comparable to that of other manufacturers and other corporations of this country. Therefore, I found it of great interest to read page 40 of the April issue of the "First National City Bank Monthly Letter on Business and Economic Conditions."

In this interesting letter there are listed the net income of leading corporations for the years 1957 and 1958. This net income involves 3,574 companies and is broken down by industrial groups. The aircraft and parts industry made up of 39 companies, showed a 14.5 percent return on net assets in 1958, and a 20 percent return in 1957. The only industry that can match this 2-year high rate, and it is not a hard-goods manufacturer, are 27 drug and medical companies who exceeded the aircraft manufacturers' return in these 2 years.

In other words, Mr. Chairman, the percent of return on net assets of the aircraft and parts industry for the years 1957 and 1958 was higher than all of the other industries in the United States, except the drug and medical industry, for these 2 successive years.

Now, I am not going to burden the Members with additional figures but I just wanted to mention a few statistics to show you who will benefit from the amendments proposed to the Renegotiation Act. This is the industry who will benefit and even the committee report acknowledges the benefit. This is the same industry who have members now knocking at the doors of the Tax Court complaining that they have not made enough profit. And, Mr. Chairman, this bill will give them an even higher profit.

Now, Mr. Chairman, let me tell you why the amendments proposed to the present Renegotiation Act are unsound and should be rejected by the membership of this House. Remember that every amendment, except section 1 which extends the act, will be of benefit to industry, as stated by the Committee on Ways and Means, and particularly the airframe industry of which I have just spoken.

Mr. Chairman, I would like the membership, if they will, to turn to page 14 of the report on H.R. 7086—House Report No. 364.

Now, I call the membership's attention to the Ramseyer report and particularly to section 103 of existing law and the proposed changes to that section.

The bill before the House today would amend paragraph 2 of section 103(e).

You will find that it begins with the fourth sentence from the bottom of the page. You will note that existing law refers to:

> The net worth, with particular regard to the amount and source of public and private capital employed.

The change proposed by the committee would convert that sentence to read as follows:

> The net worth, and the amount and source of public and private capital employed.

The committee report seeks to justify this change by saying that:

> Section 2(b) of your committee's bill amends section 103(e)(2) merely to clarify the distinction between the concept of "net worth" on the one hand, and that of "amount and source of public and private capital employed" on the other hand.

Now, Mr. Chairman, let us look again at page 14 of the report and take another look at the Ramseyer.

Remember that the committee says:

> Let's clarify the words "net worth" and its relationship to public and private capital employed.

But note that the committee does not seek to clarify the language that appears in existing law which is of benefit to the contractor. The committee does not seek to eliminate the words "with particular regard to" where they appear in section 103(e) with respect to the, first, attainment of quantity and quality production; second, reduction of costs and economy in the use of materials; third, facilities; and, fourth, manpower. In fact, to that they would add a new factor—"contractual pricing provisions and the objectives sought to be achieved thereby."

Now this appearance of the words "with particular regard to" obviously is of benefit to the contractor. These words require the Board to give particular regard to these factors which are in favor of the contractor with respect to the profits he makes on a Government contract.

But why did not the committee, to clarify the situation, suggest that the words "with particular regard to" be eliminated from this part of the law?

And for that matter, why did not the committee ask that the words "with particular regard to," which appear in paragraph 1 of section 103(e), be eliminated?

The answer, I am afraid, can only be that in these two instances the words "with particular regard to" are of benefit to the contractor, but the words "with particular regard to" in paragraph 2, which the committee would eliminate, is the one portion of the factor consideration which the Board must take into consideration with respect to the Government's investment in these facilities of over a billion dollars. And this is what the committee would ask us to deemphasize.

I am willing that, as in the present law, the Government and the contractor approach the renegotiation table on equal terms, but I am not willing to say that the Government must now in guise of clarification go to the renegotiation table saying that its capital investment must now be given less weight than formerly.

What possible justification could there be for making a change in existing law which requires the Board and invites a court to deemphasize the public's investment in these facilities? Obviously, any change in the law which deemphasizes the public investment is intended to be of benefit to the private contractor.

I might have a little sympathy with this proposed amendment if these words of emphasis were taken away from the favorable recognition accorded to the contractor's five factors. But I can have nothing but doubt about a proposal to take it away from the Government's one factor. I don't think it is clarification at all. It is confusion of the worst order, because it is confusion in emphasis. It is the depreciation of one factor in favor of five other factors by means of which the total of excessive profits shall be determined. That is dangerous; and I think manifestly unfair to the taxpayers.

Now, let us look at section 2(c) of the bill. A brandnew factor has been added to be of benefit to industry in its dealings with the Renegotiation Board.

Now the committee proposes to add a new factor to be considered with particular regard to the contractor's contractual pricing provisions and the objectives sought to be achieved thereby. This plainly refers to incentive contracts.

Incentive contracts are designed to return greater profits to the contractor by their very nature; but when a contractor's total profits from all contracts exceed a fair and reasonable return, I do not believe either you or I would sanction a special rule in their favor.

My belief is this: A fair and reasonable return is all that any contractor ought to receive from all his defense contracts whatever the name of the contract or whatever unusual contractual pricing provisions are in it.

Now, I say this to you because when this same proposal was up before the Ways and Means Committee, the Comptroller General took the unusual step of reversing himself in that regard. He was obviously alarmed at what could happen with windfalls in incentive contracts. He called them by their right name. And he warned Congress of the dangers of a special rule for special pricing provisions.

I stand with the Comptroller on that. I am opposed to windfalls or any possibility of windfalls by special contract provisions. No special contract provision and no provision of law should authorize excessive profits.

Now, the Committee on Ways and Means, on page 3 and section 3, suggests that losses be carried forward 5 years instead of the present 2-year loss carry forward. Remember, there is at present a 5-year tax loss carry forward; but now the committee wants to give an additional benefit—we are going to extend the loss carry forward in renegotiation for an additional 3-year period. And remember, renegotiation is after taxes.

Now, Mr. Chairman, turn to page 5, line 11, of the bill.

Under the regulations of the Renegotiation Board, the Board advises the contractor in general terms of the consideration it has given to the six statutory factors by which excessive profits shall be determined. But this is done, Mr. Chairman, after the determination by the Board. The Board is not required to, and does not specify the dollar amounts assigned to any one particular factor; it should not; it cannot, if it follows the instructions of the law in arriving at a single judgment.

Now, the committee, to be of "benefit to industry," insists that this statement be given before the Board's determination. The committee says, prior to the making of an agreement or the issuance of an order, before the Board opens its mouth as to the amount of excessive profits, it must give the contractor a statement of the reasons for what it proposes to do.

Then what comes next?

At or before the time such statement is given, before the Board opens its mouth, they must make available to the contractor all reports and other written data furnished by any of the departments who have answered any questions of the Board.

This would make the contractor a full member of the Board, allowing it to read the Board's own mail, open its books for inspection, and give a statement before making a decision.

Now, if industry is not being helped enough at this point, this poor struggling industry, let us look at section 5. The present law provides for an appeal by the contractor to the Tax Court where he shall be accorded a trial de novo. The Tax Court may either enlarge, agree with, or diminish the sum found by the Renegotiation Board.

Now, after having been required to furnish the contractor with all of the information which I have just enumerated, all the letters and documents that it has received and a statement of how the Board is to decide the case, before deciding, then another committee amendment says that if the contractor is dissatisfied with whatever happens after that proceeding, he may go to the Tax Court; and the committee says "no presumption of correctness shall attach to the determination of the Board."

Why the search and seizure of section 4 if it has no use before the Tax Court?

It is just another step downward for the Board, and for whose benefit? Because the committee says in the next section that only evidence presented to the Tax Court shall be considered by the Tax Court.

And, if that were not enough, after the files and proceedings of the Renegotiation Board have been rifled, the contractor goes before the Tax Court de novo. He starts all over again with the specific instructions that anything that was done before cannot be considered.

Well, for whose benefit are sections 4 and 5 as they are written?

Now let me call your attention to another provision. The committee says it wants to bring proceedings of the trial de novo of a renegotiation case in harmony with proceedings of the Tax Court.

Now, here is what the proceedings in the Tax Court are at the present time:

A division of that court makes its determination independently. After that determination has been rendered, under present law, all 16 judges of the Tax Court can participate and review the decision, if within 30 days any judge of that court is dissatisfied with the proposed decision for any reason.

Under the proposed procedure in the committee bill, the Tax Court division after having reached its decision would have that decision automatically reviewed by three judges of the Tax Court after which the decision would then become the final decision of the Tax Court. A mandatory three-judge review of a Tax Court decision within the court is not applicable in any other matter in that Tax Court.

Now you would think, Mr. Chairman, that that would be enough to satisfy even the most dedicated professional litigant. But, no, another step is to be added.

The appeal procedure before the U.S. Court of Appeals is to be changed by the committee bill. The objective is bigger and better and longer appeals.

Now one thing I must not overlook is that every one of these appeals from the Tax Court is interest-free for the contractor after 3 years.

Now let us look at section 6 of the proposed legislation and see what that does for these poor, struggling defense industries who do not know where their next $100 million contract is coming from.

The contractor has already had at this point two complete trials and a three-judge court review. But that is not enough "for the benefit of industry." Now this contractor is to get another new trial with the same rights as those possessed by a contractor in a civil action in the district court of the United States tried without a jury.

The rights of an appellant in a court of appeals whose case has been tried before a district court without a jury are, among other things, under rule 52 of the Rules of Federal Procedure, to require specific findings of fact and conclusions of law thereon spelled out to determine the application of facts to the law as announced by the lower court.

In the case of a trial by jury, the only question which a court of appeals can consider is whether the jury was properly instructed; and if properly instructed, whether there was sufficient evidence to support the verdict. The appellate court may not inquire into what particular fact or group of facts impressed the jury and resulted in their decision—only that there was evidence and that it was properly before the jury.

This bill does not prohibit the court of appeals from requiring a statement of the sum of money allowed for each factor considered. But that is the very thing which Congress has consistently forbidden. Even this bill forbids the Renegotiation Board to specify the dollar value accorded any factor, but nothing is said about the circuit court of appeals.

I said that this would be a third renegotiation.

Let me tell you what that court of appeals says it can do on an appeal on findings of fact by a judge. In the case of Dollar against Land, decided in 1950 in the District of Columbia with certiorari denied—cited in 184 Fed. 2d 245—beginning at 248, that court says the rule by which it is guided is this:

> Since jurisdictional review of the findings of a trial court do not have the statutory or constitutional limitations * * * on findings * * * by a jury, this court may reverse findings of fact by a trial court where clearly erroneous.

That means, says this appellate court, when the court "believes a mistake has been committed."

Now, if that is not a new trial, I do not know what is.

All you have to do is to get the court to invoke rule 52, get a financial statement, and you have got a brandnew trial, depending upon how far the circuit court of appeals wants to go.

This is the obvious purpose of this section. This is another example of how this bill proposes to be of benefit to industry. And if the contractor is not happy with the results in the circuit court of appeals, he can file for certiorari in the Supreme Court.

Mr. Chairman, I shall not trespass further on the time of the membership of this House in a further explanation of the amendments proposed to this bill.

But for those who are curious, I suggest that you notice, if you have not already done so, the different effective dates contained in the bill.

There is an effective date on page 6, line 7, with respect to section 4.

There is a different effective date on page 7, line 20, with respect to section 5.

There is an entirely different effective date on page 9 with respect to section 6.

You can get a different result if you read page 10.

I will not attempt to explain the purpose of those effective dates except to express the opinion that they may well involve cases now pending in renegotiation appeals.

I want to conclude what I have said today by telling you that since 1951 some 4,400 cases were certified to the Renegotiation Board. Of these cases 3,288 were renegotiated, resulting in a recovery to the Government of $723 million.

Since 1951 only 53 cases have been appealed to the Tax Court.

There are $82 million in assessment by the Renegotiation Board on appeal in the Tax Court in 53 cases, involving 46 contractors. But 7 of these 46 contractors, in 13 cases, account for $72 million of the $82 million in dispute. These seven contractors are Boeing, Douglas, Lockheed, Martin, North American, Temco, and Grumman. These are the seven poor, struggling airframe manufacturers who will benefit from the committee bill.

I think you will see now what is meant when the committee report says "this will benefit industry."

Mr. Chairman, several years ago, I stood in the well of this House and urged the Government to dispose of the synthetic rubber facilities because I advocated then, as I advocate now, and will always advocate, the free enterprise system. Nothing I have said here today detracts in one iota from my firm belief in the free enterprise system. I believe it is the soundest system devised for the operation of our society. But free enterprise based upon the competitive system is one thing, and defense contracts negotiated with a handful of defense contractors involving unknown factors is a different proposition.

I will not, I cannot, and will never support any proposal that will increase defense costs to the taxpayer and excessive profits to a handful of defense companies.

And, Mr. Chairman, that is what these amendments will do if they are adopted. That is what the committee amendments will do if adopted, and that, Mr. Chairman, I submit is frankly stated in the committee report on page 1 where it says "this bill will be of benefit to industry."

I propose to offer an amendment to the bill which strikes out all after section 1 and merely reenacts the Renegotiation Act of 1951 for a period of 4 years. I hope the amendment carries.

Mr. MILLS. Mr. Chairman, will the gentleman yield?

Mr. VINSON. I yield to the gentleman.

Mr. MILLS. The gentleman would agree with me, would he not, that if this program is not extended, the provisions of the Vinson-Trammell Act would go into effect?

Mr. VINSON. That is correct.

Mr. MILLS. If the gentleman will permit me to ask him this question; does he think that the airframe industry would be better satisfied with the Vinson-Trammell Act providing for 12 percent, or with a continuation of this bill?

Mr. VINSON. No; the Vinson-Trammell Act, as amended, providing 12 percent for the aircraft industry, is not the proper approach.

Mr. MILLS. Would the gentleman agree with me that under this bill the aircraft industry would make no such percentage on sales?

Mr. VINSON. I think from the statements I have made here, the aircraft industry gets far more than that.

Mr. MILLS. On sales?

Mr. VINSON. I have shown that in their returns after taxes.

Mr. MILLS. The gentleman has not pointed out that after taxes and after renegotiation under this or any other program that the Committee on Ways and Means has ever brought to the House of Representatives, the airframe industry will get as much of a profit as it would get under restoration of the Vinson-Trammell Act.

Mr. VINSON. I will say this to the distinguished gentleman and to each and every member of this distinguished and major committee in the Congress. If you pass this bill, in the language presented here today, whatever they are making today, they will make far more.

Mr. MILLS. If the gentleman will yield further, I have listened to the gentleman, and he says maybe I am confused, and maybe I am; but I think my friend from Georgia will admit that as I said in the opening statement, in no

way does this bill change the exercise of judgment by the Board.

Mr. VINSON. That is correct.

Mr. MILLS. And the Board said in the letter to me that I read that it unqualifiedly endorses this bill and every provision of it. Does the gentleman mean to say that the Renegotiation Board itself does not know what it is talking about?

Mr. VINSON. The Renegotiation Board is like all other departments in the Government.

When the guideline is set by the administration, all of them say, "Me too."

Mr. CURTIS of Missouri. Mr. Chairman, I yield myself 20 minutes.

Mr. Chairman, the gentleman who preceded me stated that he would not vote for any proposal that would increase defense costs. I would suggest to him that his program has increased defense costs, and if his ideas were to prevail, they would continue to increase. That is the sole issue involved in this matter. What will bring about the most economical cost to the Government? Within that area there is plenty of room for honest disagreement. But, there is no room for disagreement as to objectives. Certainly, this committee is interested in attaining those objectives.

Mr. MILLS. Mr. Chairman, will the gentleman yield?

Mr. CURTIS of Missouri. I am glad to yield to my distinguished chairman.

Mr. MILLS. The chairman of the Committee on Armed Services both before the Committee on Ways and Means and here today made a great point of the amount of profits that have been derived by the airframe industry in the past. Could that kind of profit have been derived in the first instance if the Department of Defense had utilized purchasing practices and procedures which were more appropriate?

Mr. CURTIS of Missouri. The answer, of course, is obvious—they could not.

Mr. MILLS. And those profits to which he referred were derived before renegotiation; is that not correct?

Mr. CURTIS of Missouri. That is correct. The gentleman has stated it. That really is the issue because what we are talking about here is only one aspect of the military procurement and supply, a very important aspect. But that is what we are seeking to find out, What is wrong with our military procurement supply system? I do not believe anyone in this Chamber who has studied the matter believes it is anything other than extravagance and, in my judgment, there is something fundamentally in error here. If we could only find what it is, I want to say to the gentleman from Georgia, for whom I have a great deal of respect and particularly for his parliamentary ability, who started out and keynoted his address and ended it with the same thing, and I think it pertains to his whole talk to which I listened very closely. He started out with a half quotation and ended with a half quotation, and even when I asked the gentleman to yield to read the full sentence instead of just half of it, he then misstated the second half of it. I want to read the full statement. He said, "will be of benefit to the industry." Here is the rest of it—"and also will contribute to the administration of the act." That is exactly what we hope we have done in this proposal to the House. Not only doing something that will benefit industry, but certainly that will benefit the Federal Government as a whole and that will benefit our people as a whole. That is the purpose. This idea of reading half a statement instead of the full statement, I think typifies the quotations that are contained throughout the gentleman's presentation. For anyone who is interested, incidentally, in some of the figures involving the airframe industry, which I might state is not the only industry involved in renegotiation because probably our small businesses, thousands and thousands of them, are most adversely affected by the Renegotiation Act. Certainly, there are many other big industries other than the airframe industry that are adversely affected. But, turn to page 219 of the public hearings of the committee and there you will get the percentage and the ratio of earnings to sales after renegotiation and after Federal income taxes. You will find that the highest return of the airframe industry is 3.2 percent and, as a matter of fact, before taxes, the highest, incidentally, is 6.69 percent which is well below the 12 percent of the Vinson-Trammell act, and I might state, it is well below the percentage of American industry as a whole.

I would like to make one other point in referring to the statement made by the chairman of the Committee on Armed Services. I am rather amazed at his presentation inasmuch as he signed the report on aircraft production costs and profits, of a subcommittee for the special investigation on this subject, dated July 13, 1956. Those hearings were conducted on this very subject about which the gentleman has been talking. He signed the report himself on page 3128. In that report there are many statements that are in direct variance with what the gentleman has said here on the floor. Incidentally, I will quote some of it which is quoted on page 21 and page 22 of the committee report, in the supplemental views of the minority. There is one in particular that I would like to read. This is from Chairman VINSON'S own subcommittee:

> The subcommittee concludes on the evidence that there has been no showing that on the average the profits allowed are excessive.

That is only one example of the conclusions of this study which his own committee conducted into this subject matter.

Now to get to the debate itself and the issues involved here which do have to do more with economics, I believe, than anything else, because we are talking here about our defense industry. If they are going to be strong, as they must be strong, if we are going to provide adequate defense for our country, we must not stunt their growth. They are growing industries, and the amount of capital needed in a growing industry is considerably more than that in a more stable part of the economy. I want to call attention to the similarity between this bill, the Renegotiation Act, which professedly is to eliminate excess profits and the Excess Profits Tax Act. Let me emphasize again we are all against excess profits, let there be no mistake about that. There was no one who testified before our committee who started out other than to say they were opposed to excess profits. The issue is what is an excess profit? And in order to understand it we have to get into economics. What is the difference between this bill, I might ask, and the excess profits tax, which, thank goodness, we finally eliminated back in 1954. We never should have extended it the 6 months we did; and some of us on the Ways and Means Committee never did give up on that, although we got overridden. It was not a tax on excess profits at all; upon analysis it was found to be a tax on every growth industry in the United States, every new and growing industry, and particularly the small businesses of the United States. If there ever was a tax that was levied on economic growth it was that misnamed excess profits tax. I suggest that the same misconception, the same mislabeling exists in this very bill here. Upon analysis if there is anything that this renegotiation bill is doing it is taxing and putting a penalty upon growth industries. Indeed, we could call it just that. Let us take a few growth industries, electronics, for example. They would not have the reserve of profits to fall back on in order to finance their growth.

Or let us go into the sector of our economy that originally had nothing to do with defense, the automotive industry, when it grew in the 1910's, the 1920's, and the 1930's, and just consider the amount of capital they had to put into those industries if they were going to grow in accordance with the economic and the social needs of our society.

That is the background in which we have to consider this particular situation if we are going to make sense out of it. We are talking about economics, and it is not a question of how much the aircraft industry has grown in respect to the absolute; it is how much they have grown in respect to the need of our society for a well-financed and growing healthy airframe industry. In reference to the airframe industry I pointed this out in the hearings and I pointed it out in the executive sessions, and I want to emphasize it here. The Chairman of the Armed Services Committee apparently has listened to some of these arguments, because I notice he has changed his tune in regard to how much private capital and how much public capital goes into these airframe industries. His original plea was that because so much Government capital is in here, there should be less profits. I pointed out that under that theory we were going to end up with the Government still being in this field to a tremendous extent.

Now, if we are really interested in broadening our tax base and healthy economic growth we want to see Government capital beginning to go out and

more private capital to go in. Risk is the reason industry won't expand thru private capital. The Defense Department itself said it—and the Defense Department, I might say, as one might suspect, is in accordance with the Chairman's views on this thing; the Defense Department and the Chairman coincide in their point of view. The reason capital will not go into the airframe industry and some of these other new industries is because of the risk involved. Anyone who knows anything about the private enterprise system knows that where you have greater risk, if you are going to interest private capital you have to offer a corresponding profit. That is the only way we will go ahead. If we really want to get a strong defense industry we will have to provide the incentive so that it can grow not in relation to some set figure that some board or some group of individuals might say it should grow, but in accordance with the needs of our society and the needs of our defense.

There is one very basic reason I am opposed to any 4-year extension. As a matter of fact, I do not believe there should be even a 2-year extension of this act. We extended it last year, I believe it was for 6 months, so that studies could be made into this important area to find out just what is causing this damage. We requested the executive department to make those studies. I regret to say the Defense Department in its testimony in public hearings, particularly under my interrogation, showed that it had made no studies at all. I should not say "No studies at all," it made no formal studies and, as a matter of fact, it was a most casual, informal approach.

On page 43 I asked the General Counsel for the Department of Defense about this study and he says: "There was no chairman." He says, "I suppose I called the meetings." He says: "This was an informal review." It had no reports.

I interrogated him about specific areas of study, about redetermination as a method of handling this problem, which means that the procuring officers themselves would go over the contracts. He said in his answers, no studies had been made of that.

I call the attention of the chairman of the committee to this statement. He made a statement I wanted to modify in his original presentation when he said: "A lot that we go on was on the basis of studies that were conducted by our staff of the Joint Committee on taxation."

The correction I wanted to make was that our staff told us their studies were incomplete.

Mr. MILLS. That is true. They had not made a complete study.

Mr. CURTIS of Missouri. That is correct. They wanted to go further in their studies and we wanted to have them go further in their studies, particularly in light of the fact the executive department has not done its job in coming before the committee and the Congress so that we could make a real report on this thing. Even our own staff which we had go into this matter has not completed its studies on the thing. In light of that, I certainly think it is ill-advised for the Congress to extend the act for as long as 4 years. As a matter of fact, in my opinion, 2 years is too long. I think we ought to extend it for a year in order to get these studies in and find out just what the situation is.

There is one basic point I want to get across because many people have a misconception of what the Renegotiation Act intends. I know the chairman of the Committee on Armed Services himself will agree with this statement. The Renegotiation Act is not intended to catch fraud. This is not a question of anyone's being guilty of fraud. We have plenty of laws to take care of that aspect of the matter. I thought it was primarily to correct errors, but I had a little difficulty with the General Counsel of the Defense Department when I interrogated him on this. I would like to refer to that because it is pretty basic.

On page 46 he says:

> The point I am making, and I think it can be borne out fully by the Board, is that the great bulk of renegotiation refunds are not the result of errors, but are the result of changing facts during the performance of the contract. And you cannot say that anybody erred about it.

I had been saying it was to correct errors. I still think essentially we were quibbling over words, but it brings out a point. We are talking about those kinds of contracts in regard to new weapons, new ideas perhaps, about which neither the contracting officer nor the contractor himself knows enough in order to put the correct cost down.

We certainly need some sort of machinery and procedure to re-evaluate those costs after the fact. There is no dispute on that. But here is where I disagree with the renegotiation procedure. Inasmuch as we are talking about knowledge and lack of knowledge, I say that the men who are best in a position to re-evaluate costs and errors or miscalculations, or whatever you have, are the people who have actually been negotiating the contract in the beginning and have been following the contracts through on both sides.

Mr. Chairman, I prefer to have a system, and I would suggest it, and this is what I have suggested, of a development of the redetermination process—that is a term that the military establishment uses to describe what they do do in relooking at these contracts that involve new projects. Now, their redetermination, as they call it, is somewhat limited, but it could be expanded actually to be the same process that goes on in renegotiation; in other words, a complete review of each contract and a complete review, I might say, of all the contracts that a particular company has had with them in a particular year. As a matter of fact, there is some testimony to the effect that the Navy actually did that with one of the aircraft industries. This is the procedure that I suggest will actually bring about the best economies. Instead of that, what do we do? We set up a board of men who have no knowledge of these technicalities or the problems involved in these very technical aspects of production, and this independent board with no knowledge, as I say, at all of the details, attempts to look over the shoulder and determine what is and what is not an excess profit. I suggest that under those circumstances it is an impossibility to expect any good result out of that. And, I would say that is the exact reason that here we are faced with a situation where we have had the Renegotiation Act for many years, and yet we do have some situations where there have been overcharges, and industry, in many instances of its own volition, has sat down with the Army, the Navy, and the Air Force and gone over it. In other instances there are redeterminations, and I say further development of that would really produce some results.

Just recently I have been reading in the newspapers about the Hébert subcommittee disclosures of what the General Accounting Office has found out. How in light of this can we believe that this renegotiation procedure is doing an adequate job? It is very obvious that there is something the matter here, and the something that is the matter is the procedure itself. Let me point out first that the best way to keep prices down is through competition, that is, the private enterprise system. The only time we go to a second best system is when through some circumstance or another we cannot have competition. The only way that we will go to another system, or should, is when, due to circumstances, we cannot have competition. Probably the best example is with our private utilities, where we have a natural monopoly, and therefore we set up a board which actually determines those costs. But, it is only a second-best system. This renegotiation system is only a second-best system, and as we tried to point out, those who wrote the supplemental views, not only is it second best, it is a very poor second-best system. A much better second-best system could be established, one in which we would permit more competition, and thus invite into the bidding process of defense contracts many of the companies that today will not deal with the Federal Government. The Federal Government, through its heads-I-win-and-tails-you-lose philosophy, actually is producing a situation where many of our better companies will not even compete for Government business. Now, anybody knows this, that when you let your bids and only the fly-by-night contractors bid on them, you are going to pay through the nose in increased costs and poor quality. If we do not get good procurement practices in our Defense Department, I suggest that this process that we are now seeing develop will continue. That is why I suggest to the chairman of the Committee on Armed Services that far from doing what he thought he was doing, which was fighting against excess profits, if it continues with this sort of a system, he will foster a climate whereby this will come about. It is for these reasons I hope that when the amendment comes to reduce the time—I wish it were less than 2 years—the House will vote for that amendment so that these studies

which we requested be made by the Executive Department be made, that the studies that we have embarked upon as your committee be made, and that the Hébert committee studies in the broad field of military supply be made, and perhaps some other studies that Mr. McCORMACK and myself and others are conducting into the area of procurement of common-use items by the Military Establishments be made, and then with that information available, I think perhaps we can come forward with some suggestions of a good measure for military procurement and supply that actually will foster economic growth in the industries that we must depend upon for our defense and will bring about the best material to the Federal Government at the cheapest price.

Mr. CURTIS of Missouri. Mr. Chairman, I yield 15 minutes to the gentleman from Texas [Mr. ALGER].

Mr. ALGER. Mr. Chairman, I take this time in a sense, to round out the debate today, since I find myself opposing this bill and in disagreement, not only with the gentleman from Georgia [Mr. VINSON], but with others of my colleagues whose opinions certainly I respect. But let me say, as a newcomer on the committee, that I greatly appreciate the opportunity and the privilege to serve with the members of the Committee on Ways and Means. And I want now to thank the counsel and staff of that committee for the help that they have given me, as well as to pay my respects to the Chairman for the gracious manner in which he permits questions to be asked in committee.

Mr. Chairman, I am opposed to the present extension of the Renegotiation Act for reasons which I think are quite apparent. I shall endeavor to pass over the same arguments made earlier, as much as possible, and bring out three or four others.

First of all, for those Members who might be approaching this as newcomers, you may wonder what are excessive profits by definition. May I read to you what excessive profits are. I am reading from page 3 of the Renegotiation Act of 1951, that we used in committee, Document No. 82286.

> Excessive profits: The term "excessive profits" means the portion of the profits derived from contracts with the Department and subcontracts which is determined in accordance with this title to be excessive.

In other words, excessive profits are defined as excessive profits. Then it goes on and states that there are six criteria to determine excessive profits. These are shown on page 4, and are as follows:

> (1) Reasonableness of costs and profits, with particular regard to volume of production, normal earnings, and comparison of war and peacetime products;
>
> (2) The net worth, with particular regard to the amount and source of public and private capital employed;
>
> (3) Extent of risk assumed, including the risk incident to reasonable pricing policies;
>
> (4) Nature and extent of contribution to the defense effort, including inventive and developmental contribution and cooperation with the Government and other contractors in supplying technical assistance;
>
> (5) Character of business, including source and nature of materials, complexity of manufacturing technique, character and extent of subcontracting, and rate of turnover;
>
> (6) Such other factors the consideration of which the public interest and fair and equitable dealing may require, which factors shall be published in the regulations of the Board from time to time as adopted.

But I might say, looking over these six factors that are important to determine excessive profits, the gentlemen of the Board would have to have the wisdom of the Almighty to exercise the judgment necessary. So I must meet headlong this argument that the gentlemen of the Board can do the job. They cannot by the very language of the factors that we outline as criteria. It is humanly impossible to analyze industry under the free enterprise system according to these criteria. This gives rise, surely, to many of the perplexing problems of renegotiation.

But, to pass on. I must observe that this bill, like so many bills in Congress, may be wonderful for the attorneys and the accountants, but it surely plays hob with businessmen because, while it maybe popular to attack business, we tend to forget some first principles. Management and labor together represent business, and anything we do in this body to hurt business, even though unintentionally, will hurt this great Nation of ours.

Percentage profit figures were given earlier by the gentleman from Georgia, and they have been rebutted I think adequately by the gentleman from Missouri [Mr. CURTIS] who pointed out that some of the percentage of profit of sales figures, after tax and after renegotiation, fall as low as 1 percent. This is certainly not excessive, as I see it; at the most they go as high as 3.2 percent, far from excessive.

Mr. Chairman, I might call attention of my colleagues to the report that accompanies this bill. I feel that it is a very excellent report in that it covers the various viewpoints including the one that I am expressing at the moment. I approve the views, in which I joined, although I did not write them, that are found on page 20. These are reason enough for my disapproval of the extension of this act.

Mr. Chairman, may I call your attention to the fact that there are four basic criticisms raised on page 20, which I now categorically state, from my standpoint, are not answered by this bill whatsoever.

I might also call attention to the fact that here we are, we who are the watchdogs of the purse, we who are looking after the affairs of this great Nation of ours, and we are now preparing by this bill to remove from the scrutiny of the Congress for 4 years this entire matter of renegotiation. I think that is wrong.

Going back to the views I endeavored to express, hitting the high spots, on page 26 of the report accompanying the bill, these views were based on listening carefully to the testimony given us. Much of this testimony came after that of the distinguished gentleman from Georgia who spoke earlier today, the chairman of the Committee on Armed Services. The criticisms made were quite persuasive, and they were not rebutted by the Defense Department and Renegotiation Board representatives nor by counsel or members in our executive sessions. These arguments were not rebutted, and these criticisms, which I would like to summarize briefly, were not answered. I shall mention them.

First of all, let me point out that renegotiaton, by its nature, was a temporary wartime measure. In wartime, what are the circumstances?

First of all, there is an absence of competition. Secondly, there is a crash procurement program. Thirdly, there is a hasty development of new products.

I say to you categorically that these three situations do not prevail today.

First, there is competition. Second, there is careful and considered procurement by experienced procurement officers. And thirdly, the new products that are being developed can be separated from production models, the costs being known and known intimately by the Department of Defense.

Mr. CURTIS of Missouri. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Seventy-three Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 54]

Baker	Hall	Moss
Barden	Hargis	Nix
Barrett	Hiestand	Norblad
Bass, Tenn.	Holifield	Norrell
Betts	Holland	O'Konski
Bonner	Jackson	Ostertag
Cahill	Jarman	Perkins
Canfield	Johnson, Md.	Powell
Casey	Jones, Mo.	Reece, Tenn.
Celler	Karth	Rivers, S.C.
Chelf	Kilburn	Santangelo
Clark	Kluczynski	Saylor
Davis, Tenn.	Lafore	Siler
Dorn, N.Y.	Laird	Smith, Miss.
Dorn, S.C.	Landrum	Smith, Va.
Dowdy	McMillan	Spence
Downing	McSween	Taylor
Durham	Macdonald	Watts
Fogarty	Mack, Wash.	Wharton
Giaimo	Mason	Withrow
Glenn	Meader	Younger
Grant	Moeller	Zelenko

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. HARDY, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 7086, and finding itself without a quorum, he had directed the roll to be called, when 367 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. When I caused the roll to be called, the gentleman from Texas [Mr. ALGER] had 9 minutes remaining. The Chair recognizes the gentleman from Texas.

Mr. ALGER. Mr. Chairman, to continue rounding out the viewpoints on renegotiation, the difference of viewpoint seems to be, not whether we are for or against excess profits, everyone is opposed to excess profits; the question is whether we shall retain and continue

the renegotiation procedure that we now have with minor amendments for 4 more years. In that vein, I would like to call your attention to page 20 of the report where four reasons are given in supplemental views by those opposing this 4-year extension, and point out to you that these four criticisms have not, in the judgment of some, been met in the present bill. Those four criticisms are these:

(1) The term "excessive profits" requires further statutory definition in the light of the Renegotiation Board's alleged practice of seeking to recapture normal profits or contractually agreed upon incentive profits.

In other words, the Board is taking profits that were originally agreed to be profits and are not excessive.

(2) Renegotiation proceedings before the Board are devoid of any character of a negotiation and instead bear an aura of a tribunal process where the contractor is tried without knowledge of the factors the Board secretly weighs against his petition.

This criticism, too, has not been met in the current bill, as some of us feel, who signed the supplemental views.

(3) The economic impact of renegotiation discourages competition by limiting the number of firms willing to undertake defense contracts, and that economic impact is causing our defense-related industries to rely increasingly on Government financed capital investment instead of relying on retained earnings and new private capital investment.

In other words, this bill is actually defeating its avowed purpose under renegotiation to eliminate excess profits and encourage efficiency, and instead is encouraging incompetent or inefficient contractors to come in to bid, also is hindering capital formation to permit the industries buying out the Government investment.

(4) Continuation of the renegotiation authority acts as a positive deterrent to the further development and use of effective defense procurement procedures that would give increased emphasis to cost reductions while at the same time safeguarding against excessive profits.

Mr. Chairman, I feel sure nobody in this body disagrees with the objectives as embodied in these four criticisms. Some of us hold that these are not solved by the pending legislation. These needs have not been met, and at least we are all agreed that these should be reviewed periodically and that Congress should not put this aside for 4 more years, removing it from scrutiny.

Mr. Chairman, just a few months ago in the last Congress, the Committee on Ways and Means reported on this subject in this vein. I think you should know what was said at that time on this very subject. I want to quote it, if I may.

The bill limits the extension of renegotiation to a period of 6 months because it is the intention of your committee to undertake a broad review of the entire subject of renegotiation early in the next Congress. At that time consideration will be given to the scope, objectives, and procedures of renegotiation and to possible amendments including those proposed at the hearing on the present bill.

Mr. Chairman, we had 3 days of hearings, and while we met in executive session, and the chairman conducted a study of many of the things called to his attention, yet this thorough study called for 6 months ago has not yet been made.

Beyond this, if I may, I would like to make this categorical charge, that the original intent of the Renegotiation Act is not being followed, but rather, we are recovering profits now that were intended at the outset of the contractual obligation to be profits, and were not then deemed to be excessive, nor should they have been so construed later in the opinion of the Renegotiation Board.

Further, in renegotiating a given year the years that came before are not subject to renegotiation, and are not taken into account. In a growth industry, as many Members know, because of cyclical economic matters any year should be treated in context with the preceding years. The 5-year carry forward provision does not correct this inequity, as I see it.

Further than this, there is great danger because we are driving efficient contractors, outside the field of defense contracting, because of the threat of the renegotiation process, and we are appealing to the less able, the less efficient contractors, to take Government business in defense contracting.

Mr. Chairman, beyond this I might call your attention to the fact that the renegotiation process by its very nature adds to the cost of the product that the Government buys in the nature of armaments. Why? Look at the extensive litigation. Look at the time-consuming delays and the cost of red tape, attorneys' fees, travel and other costs, which all become merged into the cost of the product that Uncle Sam buys and pays for. If this added cost does not impress you, think of the delay that is involved. How many of you who are in business or who have had business experience in the past could conduct your businesses with a withdrawal from your account imminent?

You are trying to plan future investments, whether you are relatively big or little business, yet you are not sure whether thousands, hundreds of thousands, and perhaps, millions of dollars might be taken from you at any moment. This uncertainty continues for years concerning any particular year the Board has subject to renegotiation. How do you run your business?

Earlier I think we pointed out to you the percentage of profits in the airframe industry, for example, after taxes and renegotiation. It was as low in many instances as 1 percent of sales and at the most it was 3.2 percent of sales, which I imagine surprises some of you who have not had the time to go into this as thoroughly as the committee.

Further, it was pointed out to us by the gentleman from California, Mr. H. ALLEN SMITH, speaking for some members of the Small Business Committee, that if we were to raise the ceiling from the present statutory $1 million to $5 million we would eliminate 70 percent of renegotiation and 16 percent of the costs. However, this has not been done in this bill. It would have improved the bill. Some of us hold that the Defense Department contracting officers have the knowledge, the ability, and the cost estimates to do a good job in contracting without excessive profits.

In other words, the harm outweighs the good in reextending the Renegotiation Act. As I see it, there is waste to the Government, and certainly there is danger of destruction of free enterprise, in giving such control of business to this board of men who do not have the wisdom of the Almighty. I think it is wrong.

I would like to suggest five things as a positive and constructive suggestion to my colleagues to replace the extending of the Renegotiation Act.

In the first place, I would like to suggest that any renegotiating or contract adjustment be done by the same contracting officers who originally made the contract. Does not that make sense, rather than to have some other board in this case, the five men on the Renegotiation Board, who do not even know the terms of the original deal do this?

Secondly, I would like to propose that the proper contracts be used by those procurement officers, particularly those of firm price with competitive bidding, or price redetermination where the original contract officer and the contracting firm redetermine the price based on factors that they know at the conclusion of production, factors which they did not have at the outset.

Thirdly, I would like to suggest that research and development contracts be separated from the production models. Production model costs are known. Earlier you were told here on the floor of the House about the cost of putting together a submarine, almost all of which was the result of competitive bidding. If you can do that in the case of a submarine, you can do it on other production contracts. Further, you can get into contracts for research and development models with later price redetermination the result of the renegotiation of the same contracting officers.

Fourthly, I would like to suggest and recommend that we think more about utilization of private capital instead of taking so much of the money from these contracting companies through renegotiation, that they cannot reinvest, if you please, or buy out the Government, to eliminate the Federal subsidy. Aircraft witnesses testified that lack of capital handicaps reinvestment.

Fifth, I would like to suggest most of all that we need a watchdog committee. I am sure the gentleman from Georgia would agree, because he has been a member of such a committee many times before, including the committee that made a study 2 years ago on renegotiation, which appeared over his signature. The Congress does not know what the Renegotiation Board is doing, because we do not keep surveillance of this Renegotiation Board.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. SIMPSON of Pennsylvania. Mr. Chairman, I yield 2 additional minutes to the gentleman.

Mr. ALGER. Mr. Chairman, I would like to conclude by reading one sentence

to those Members who are not acquainted with the congressional study made 2 years ago. This is the Hébert special subcommittee of the Committee on Armed Services of which the gentleman from Georgia and the gentleman from Missouri, Mr. Short, were ex officio members. This is what that committee had to say on this subject of renegotiation just 2 years ago, after study of 12 airframe companies:

> The subcommittee concludes, on the evidence, that there has been no showing on the average that profits allowed are excessive.

Further,

> Adjustments either with individual companies or on individual contracts on redetermination will, in our opinion, more than account for what may appear, in a few instances, to be an overpayment. When these are balanced off against the low profit contracts, it will then appear that on the average the profits throughout these 12 companies are not excessive.

Yet after this statement, the Renegotiation Board did find "excessive profits" regardless of this congressional committee's findings. Surely, we should learn from our own experiences.

Mr. SIMPSON of Pennsylvania. Mr. Chairman, I yield 1 minute to the gentleman from Washington [Mr. PELLY].

Mr. PELLY. Mr. Chairman, I have asked for this time in order to clarify just one point. In his opening statement, the distinguished chairman referred to the fact that the committee had been unable to come up with a formula under which the Board could decide what would be reasonable profits. What I wanted to find out is—does the committee feel that there should be a set of standards in the formula or do they feel that it should entirely be a matter of judgment on the part of the Board?

Mr. MILLS. Mr. Chairman, will the gentleman yield?

Mr. PELLY. I yield.

Mr. MILLS. As I pointed out, from the very beginning the Committee on Ways and Means has endeavored to try to find some standards or a mathematical or mechanical formula that would reduce the discretionary exercise of judgment by the Board. But, the committee has always up to this point been unable to do so. We must rely, under these circumstances I think, on the exercise of judgment of the Board.

Mr. PELLY. But the chairman of the committee would prefer to have a formula if they could; is that correct?

Mr. MILLS. All the formulas that we have ever examined leave us unassured that under such formula we may properly distinguish between reasonable and excessive profits.

Mr. PELLY. Then it occurs to me that the 2-year term or the life of the bill would give the committee more time in which, perhaps, to come up with a formula.

Mr. MILLS. Let me say that even if this legislation is extended for 4 years, that does not mean the committee would not take a look at it in the meantime, if the committee thought it could come up with improvements in any way.

Mr. PELLY. I thank the gentleman. I hope the committee will be able to establish the formula so that the corporations that are involved with these contracts will have a little better idea as to where they stand.

Mr. MILLS. Mr. Chairman, I yield 15 minutes to the gentleman from Texas [Mr. IKARD] to close the debate.

Mr. IKARD. Mr. Chairman, I think it is now apparent to everyone here that there is almost every type of opinion with respect to this committee bill. There are some who would not agree that we should even have renegotiation; there are others who would prefer that the present law be extended permanently; and, then, of course, there are those who feel that the committee bill is a fair approach to the problem.

The distinguished gentleman from Georgia, the chairman of the Committee on the Armed Services, in a very fine presentation here stated his position well. If I may in the few minutes that I have, I would like to discuss some of the points that he raised. In the first place, he mentioned the language of paragraph (e) of Section 103 of the act, which is on page 14 of the report, if you would like to follow me. Language was added there to provide that in addition to the factors that must be favorably recognized in determining what excess profits are there must also be considered: "manpower, contractual pricing provisions, and the objectives sought to be achieved thereby, and economies achieved by subcontracting with small business concerns."

Reference was made to a letter from the Comptroller General and it was concluded, if I understand it, that this language was probably objectionable to the Comptroller General because it would leave no control over windfall profits. I assume the letter that was referred to is the letter shown on page 193 of the hearings before the committee, from the Comptroller General. That letter refers to H.R. 5123, which is not the committee bill, and refers to language that was not included in the committee bill. That language deals with the agreed pricing provision of H.R. 5123 which, I repeat, is not the committee bill.

It is always difficult here on the floor and in the committee too, to argue the meaning of language, but a great deal was made of a phrase in the second numbered paragraph, a great deal was said about the omission from the committee bill of the language "with particular regard to" which is shown in parenthesis near the bottom of page 14 of the report. That language was deleted so that the present language of the bill will read: "Net worth and the amount and source of public and private capital employed."

The committee bill does amend this paragraph slightly by deleting those words "with particular regard to."

Section 103 of the act, as we all know, sets forth the factors that are to be considered by the Renegotiation Board in establishing whether or not a contractor or subcontractor has realized excessive profits. One of these factors is the so-called net worth factor, which is paragraph (2) as quoted, that I just referred to.

The intent of this amendment in the committee bill is not to effect in any way any substantial change in this factor but merely to clarify the existing language.

The determination of a contractor's net worth is actually something separate from a comparison of the amount of private capital employed and the amount of Government capital employed.

The purpose of the language in the committee bill is to make this distinction clear. There is no intention to deemphasize the importance of evaluating the amount of public or private capital employed in determining whether a contractor has received excessive profits.

As stated by the Renegotiation Board in its regulation section 1460–11:

> A contractor who is not dependent upon the Government or customary financing of any kind is entitled to more favorable consideration than a contractor who is largely dependent upon these sources of capital.

This is not, if I may say so, simply my opinion. It is the opinion of the Renegotiation Board, it is the opinion of the majority of the committee, it is the opinion of the Department of Defense, and it is also the opinion of the Department of Justice, with all of whom we discussed this language fully.

It is not the intention of the committee by this amendment to in any way change the substance of present law.

To go to other points raised, there has been concern expressed about the 5-year carry forward. This is not a new or unique provision that was brought up all of a sudden. It is not a new principle and it is nothing new in our law. We are all familiar with it. We had it in the Excess Profits Act, we have it in our present income tax law, and we now have it here. There is nothing magic about it, there is nothing to be afraid of about it. It is the same thing we all know and are familiar with.

A great deal has also been said about the fact that the Board is expected with respect to a particular case to file certain findings or reports and to show certain documents. That has been referred to as a great "loophole" that would let people stick their arm into the Treasury of the United States.

Let us understand what renegotiation is. It is simply what it says. People sit around the table and negotiate—nothing more, nothing less. It is not like a court proceeding where somebdy can know as a matter of record the facts that the other party is acting on. This is a proceeding where one side cannot possibly know what is in the mind of the other. It is as if two men were trading or buying or selling. It is simply negotiation.

Does it really alarm anybody? Does it upset our sense of equity and fairness if we should say that once you have made a determination, after that is done you must tell the other party simply the facts you acted on? What is wrong with that? That is alleged to be a great loophole in this committee bill. But what is wrong with that? What is wrong with the Board saying to a contractor after they have renegotiated, after they have made

their determination, these are the facts we acted on?

Mr. VINSON. Mr. Chairman, will the gentleman yield?

Mr. IKARD. I yield to the gentleman from Georgia.

Mr. VINSON. The point I make is that all this information is before there is a determination. The Federal law is to give it after. You change the Federal law from what it is today to say that this information must be given before any determination. That is the point I make.

Mr. MILLS. Mr. Chairman, will the gentleman yield?

Mr. IKARD. I yield to the gentleman from Arkansas.

Mr. MILLS. The only difference here and under the existing practice is the question of the time when the law requires this information to be made available. Under existing practice the reasons and facts are now made available before the issuance of an order. The bill simply writes this practice into law.

Now, is it not reasonable, before the Board makes its final determination, to believe, in some instances at least, that a contractor is going to be better satisfied with such a determination than if you make him wait until after the determination?

Mr. VINSON. In other words, following what the gentleman from Arkansas said, it is incumbent upon the Board by the language of the committee to convey to and give to the contractor all information before any decision or determination is made by the Board. As I said earlier, that is equivalent to making the contractor a member of the Board. He has every faculty, every piece of information that has been given to the Board by the Defense Department and by everybody else.

Mr. IKARD. I would invite the attention of the gentleman from Georgia to the language that is shown on page 5 of the bill, as follows:

> Whenever the Board makes a determination of excessive profits to be eliminated, it shall, at the request of the contractor or subcontractor, as the case may be, and prior to the making of an agreement or the issuance of an order, prepare and furnish such contractor or subcontractor with a statement of such determination, of the facts used as a basis therefor, and of its reasons for such determination.

Is there anything unfair about that?

Now, we are making a mountain out of a molehill. It is already done in practice.

Mr. VINSON. No; we are not.

Mr. IKARD. If it were analogous to a court procedure. we merely say that the judge had to file his statement of facts or conclusion of facts before he entered his judgment, which is not at all unusual in some proceedings, and it is done simultaneously. This is merely an argument over a point of time.

Mr. MILLS. Mr. Chairman, if the gentleman will yield, the point is that under law this information does not have to be divulged to the contractor until after a determination is made by the Board.

Mr. IKARD. That is right.

Mr. MILLS. So I agree with the remark that it is trying to make a mountain out of a molehill.

Mr. IKARD. Now, the other amendment in that section refers to the furnishing of certain documents and reports from the departments of the Government to the contractor, and the same general arguments apply that go to the other amendments. I want to emphasize, however, that nothing is required to be given to the contractor that is prohibited by law, which means, of course, that anything that is classified could not be required to be given to them. The Government is fully protected in that regard.

Then I am rather amazed at the argument about the next amendment. Now, the present law says, and we always thought and intended, that the contractor, when he went from the Renegotiation Board to the Tax Court, would have a trial de novo. I did not know there was any argument about that. It is in the present law. But, when we examined it in the committee, we found that there was a good deal of confusion about it. It was my conclusion, and I think the conclusion of the majority of those that sat through the hearings, that there was some question about whether there actually was in practice a trial de novo. We have simply said in this amendment what we in Congress considered to have been the law for years, and that is that there shall be no presumption in the Tax Court of correctness of the findings of the Board; in fact, it shall be a trial de novo.

Now, there was some allusion made that 16 judges might possibly review under the present law. You and I know that in practice 16 judges of the trial court generally do not review these cases, and they are not going to. We must be practical; they do not have time to. They sit in divisions and there are required to be not less than three judges in division review under the committee bill, nothing more and nothing less. We adopted the practice patterned after the rules of the Tax Court as it exists today. There is nothing new here; no bug under the chip. This is just writing into the law what we always considered the law to be.

Now, a great deal was said to the effect that we allow these people to appeal to the circuit court of appeals in the same way that you can appeal from the district court in a trial by a judge without a jury. Is that evil? When we criticize that procedure, what are we doing? We are merely saying that this particular class of people cannot have access to the courts as practically everybody else can.

It was stated that there were four or five different determinations. Now, let us take the order of them and see really what happens. In the first place, a given case is considered by the Renegotiation Board. It is not a judicial proceeding; it is not a quasi-judicial proceeding; it is nothing more or less than actually a conference where they come into agreement or agree to stay in disagreement about a particular case. Then, if they cannot agree, it goes to the Tax Court and there is a trial de novo, and then from that proceeding, on questions of law, the aggrieved party, if he so desires, can go to the circuit court. Now, I do not think anybody really can find too much fault with that.

Now, Mr. Chairman, the points I have summarized are the amendments which this bill would make in the existing law. Here is what we have. We have made, basically, about five changes in it. We have, in the first section, extended it for 4 years. In the second section we have added an amendment which, it has developed here, is highly controversial, but I must emphasize that the Department of Defense, the Department of Justice, the Renegotiation Board, and the majority of our committee thought this amendment would not change the existing substantive law, and it was not our intention to change it, and it is not changed, but rather it is clarified. Third, we have provided the exact same provisions here in regard to loss carryback that were in the Excess Profits Acts that are in the Income Tax Act. Fourth, we have assured, what we thought was the present law, that a man would have in actuality a trial de novo in the Tax Court, and, finally, we have provided that he may appeal to the Circuit Court for the District of Columbia on matters of law. That, basically, is all there is in this bill. There is no more.

Mr. MILLS. Mr. Chairman, if the gentleman will yield further, there is one provision that we tried to emphasize in this bill when we were in the committee that has not been discussed here on the floor. As the gentleman knows, the Small Business Committee of the House has made some study of this whole situation.

In this bill we are trying to call attention to the fact that we want some special consideration given to these matters whenever small business concerns are the subcontractors. All of us know, and we have argued and argued with the Department of Defense about it, that we ought to give more and more of this business to small business people. And here we are trying to call attention to the fact that we want that practice enlarged and developed. The gentleman had not discussed that provision. Would he not agree with me, then, that it is certainly worthwhile and in the interests of small business?

Mr. IKARD. I think the gentleman is absolutely right. Mr. Chairman, I have one more thing to say and then I am through.

In the report on aircraft production costs and profits that was filed by the Hébert subcommittee, of the Armed Services Committee, on July 13, 1956, on page 3118, the subcommittee, after making other recommendations, suggested that the Committee on Ways and Means review statutory renegotiation and provide more specific rules for guidance by which the principle of renegotiation is to be applied.

Therefore, in view of this finding, no doubt you can understand our amazement when some members of that same committee, when we try to carry out their mandate, come in and criticize our activity.

Mr. MILLS. Mr. Chairman, that concludes our time for general debate.

The CHAIRMAN. The Clerk will read the bill for amendment.

Mr. MILLS. Mr. Chairman, I ask unanimous consent that the bill be considered as read, printed in the RECORD, and open for amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The bill follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. EXTENSION

Section 102(c)(1) of the Renegotiation Act of 1951, as amended (50 U.S.C. App., sec. 1212(c)(1)), is amended by striking out "June 30, 1959" and inserting in lieu thereof "June 30, 1963".

SEC. 2. FACTORS TO BE CONSIDERED IN DETERMINING EXCESSIVE PROFITS

(a) CONTRACTUAL PRICING PROVISIONS; ENCOURAGEMENT OF SUBCONTRACTING TO SMALL BUSINESS.—The second sentence of section 103(e) of the Renegotiation Act of 1951, as amended (50 U.S.C., App., sec. 1213(e)), is amended by striking out "and" before "economy in the use of materials", and by striking out "manpower;" and inserting in lieu thereof "manpower, contractual pricing provisions and the objectives sought to be achieved thereby, and economies achieved by subcontracting with small business concerns (as defined pursuant to section 3 of the Small Business Act);".

(b) USE OF PUBLIC AND PRIVATE CAPITAL.—Paragraph (2) of the second sentence of section 103(e) of such Act is amended to read as follows:

"(2) The net worth, and the amount and source of public and private capital employed;".

(c) STATEMENT FURNISHED BY BOARD.—Section 103(e) of such Act is amended by adding at the end thereof the following new sentence:

"In any statement furnished by the Board pursuant to section 105(a), the Board shall indicate separately, but without evaluating separately in dollars or percentages, its consideration of, and the recognition given to, the efficiency of the contractor or subcontractor and each of the other foregoing factors."

SEC. 3. FIVE-YEAR LOSS CARRYFORWARD

Subsection (m) of section 103 of the Renegotiation Act of 1951, as amended (50 U.S.C., App., sec. 1213(m)), is amended—

(1) By striking out the heading and inserting in lieu thereof the following:

"(m) RENEGOTIATION LOSS CARRYFORWARDS.—".

(2) By striking out subparagraph (A) of paragraph (2) and inserting in lieu thereof the following:

"(A) The term 'renegotiation loss deduction' means—

"(i) for any fiscal year ending on or after December 31, 1956, and before January 1, 1959, the sum of the renegotiation loss carryforwards to such fiscal year from the preceding two fiscal years; and

"(ii) for any fiscal year ending after December 31, 1958, the sum of the renegotiation loss carryforwards to such fiscal year from the preceding five fiscal years (excluding any fiscal year ending before December 31, 1956)."

(3) By striking out "CARRYFORWARDS.—A" in paragraph (3) and inserting in lieu thereof the following: "CARRYFORWARDS TO 1956, 1957, AND 1958.—For the purposes of paragraph (2)(A)(i), a".

(4) By adding at the end of such subsection the following new paragraph:

"(4) AMOUNT OF CARRYFORWARDS TO FISCAL YEARS ENDING AFTER 1958.—For the purposes of paragraph (2)(A)(ii), a renegotiation loss for any fiscal year (hereinafter in this paragraph referred to as the 'loss year') ending on or after December 31, 1956, shall be a renegotiation loss carryforward to each of the five fiscal years following the loss year. The entire amount of such loss shall be carried to the first fiscal year succeeding the loss year. The portion of such loss which shall be carried to each of the other four fiscal years shall be the excess, if any, of the amount of such loss over the sum of the profits derived from contracts with the Departments and subcontracts in each of the prior fiscal years to which such loss may be carried. For the purposes of the preceding sentence, the profits derived from contracts with the Departments and subcontracts in any such prior fiscal year shall be computed by determining the amount of the renegotiation loss deduction without regard to the renegotiation loss for the loss year or for any fiscal year thereafter, and the profits so computed shall not be considered to be less than zero."

SEC. 4. STATEMENTS FURNISHED BY RENEGOTIATION BOARD, ETC.

(a) STATEMENTS.—The next to the last sentence of section 105(a) of the Renegotiation Act of 1951, as amended (50 U.S.C., App., sec. 1215(a)), is amended to read as follows: "Whenever the Board makes a determination of excessive profits to be eliminated, it shall, at the request of the contractor or subcontractor, as the case may be, and prior to the making of an agreement or the issuance of an order, prepare and furnish such contractor or subcontractor with a statement of such determination, of the facts used as a basis therefor, and of its reasons for such determination."

(b) DOCUMENTS AVAILABLE FOR INSPECTION.—Section 105(a) of such Act is amended by adding at the end thereof the following new sentences: "At or before the time such statement is furnished, the Board shall make available for inspection by the contractor or subcontractor, as the case may be, all reports and other written matter furnished to the Board by a Department relating to the renegotiation proceedings in which such determination was made, the disclosure of which is not forbidden by law. Nothing in the preceding sentence shall be construed as authorizing the disclosure of any information, referred to in section 1905 of title 18 of the United States Code, in respect of any person other than the contractor or subcontractor (as the case may be) unless such information properly and directly concerns such contractor or subcontractor."

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall apply only in the case of determinations made by the Renegotiation Board after the date of the enactment of this Act.

SEC. 5. PROCEEDINGS BEFORE THE TAX COURT IN RENEGOTIATION CASES

(a) TAX COURT PROCEEDINGS DE NOVO.—Section 108 of the Renegotiation Act of 1951, as amended (50 U.S.C., App., sec. 1218), is amended by striking out the fourth sentence and inserting in lieu thereof the following new sentences: "A proceeding before the Tax Court to determine the amount, if any, of excessive profits shall not be treated as a proceeding to review the determination of the Board, but shall be treated as a proceeding de novo. The petitioner in such proceeding shall have the burden of going forward with the case; only evidence presented to the Tax Court shall be considered; and no presumption of correctness shall attach to the determination of the Board."

(b) REVIEW BY SPECIAL DIVISION OF COURT.—Section 108 of the Renegotiation Act of 1951, as amended (50 U.S.C., App., sec. 1218), is amended by striking out the fifth sentence and inserting in lieu thereof the following new sentences: "The determinations by and division of the Tax Court under this section shall be reviewed by a special division of the Tax Court which shall be constituted by the chief judge and shall consist of not less than 3 judges. The decisions of such special division shall not be reviewable by the Tax Court, and shall be deemed decisions of the Tax Court. For the purposes of this section, the court shall have the same powers and duties, insofar as applicable in respect of the contractor, the subcontractor, the Board, and the Secretary, and in respect of the attendance of witnesses and the production of papers, notice of hearings, hearings before divisions, stenographic reporting, and reports of proceedings, as such court has under sections 7451, 7453, 7455, 7456(a), 7456(c), 7457(a), 7458, 7459(a), 7460(a), 7461, and 7462 of the Internal Revenue Code of 1954 in the case of a proceeding to redetermine a deficiency."

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall apply whether the petition for a redetermination was filed before, on, or after the date of the enactment of this Act, if the decision by the Tax Court has not been rendered on or before such date.

SEC. 6. REVIEW TO TAX COURT DECISIONS IN RENEGOTIATION CASES

(a) AMENDMENT OF SECTION 108A.—Section 108A of the Renegotiation Act of 1951, as amended (50 U.S.C., App., sec. 1218a), is amended to read as follows:

"SEC. 108A. REVIEW OF TAX COURT DECISIONS IN RENEGOTIATION CASES

"(a) JURISDICTION.—Except as provided in section 1254 of title 28 of the United States Code, the United States Court of Appeals for the District of Columbia shall have exclusive jurisdiction to review decisions of the Tax Court under section 108 of this Act, in the same manner and to the same extent as decisions of the district courts in civil actions tried without a jury. The judgment of such court shall be final, except that it shall be subject to review by the Supreme Court of the United States upon certiorari, in the manner provided in section 1254 of title 28 of the United States Code.

"(b) POWERS.—

"(1) TO AFFIRM, OR REVERSE AND REMAND.—Upon such review the United States Court of Appeals for the District of Columbia shall have power to affirm or, if the decision of the Tax Court is not in accordance with law, to reverse the decision of the Tax Court and remand the case for such further action (including a rehearing) as justice may require.

"(2) CERTAIN PROVISIONS OF INTERNAL REVENUE CODE MADE APPLICABLE.—The provisions of subchapter D of chapter 76 of the Internal Revenue Code of 1954 (relating to court review of Tax Court decisions), to the extent not inconsistent with the provisions of this section, are hereby made applicable in respect of the review provided by this section."

(b) AMENDMENT OF SECOND SENTENCE OF SECTION 108.—The second sentence of section 108 of the Renegotiation Act of 1951, as amended (50 U.S.C., App., sec. 1218), is amended to read as follows: "Upon such filing such court shall have exclusive jurisdiction, by order, to determine the amount, if any, of such excessive profits received or accrued by the contactor or subcontractor, and such determination (1) shall not be reviewed by any court or agency except as provided by section 108A, and (2) shall not be redetermined by any court or agency, except that it may be redetermined by a decision of the

special division of the Tax Court if the case is remanded under section 108A(b)(1)."

(c) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to decisions rendered by the Tax Court of the United States after June 30, 1958. For purposes of the preceding sentence, in applying section 7483 of the Internal Revenue Code of 1954 (relating to time for filing petition for review) in the case of a decision rendered after June 30, 1958, and before the date of the enactment of this Act, such decision shall be treated as having been rendered on the date of the enactment of this Act.

Mr. VINSON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. VINSON: Beginning on page 1, line 8, strike out section 2 and the remainder of the bill.

Mr. VINSON. Mr. Chairman, I shall not take but a minute. The purpose of this amendment is to extend the present renegotiation law for a period of 4 years.

Mr. MILLS. Mr. Chairman, I rise in opposition to the amendment.

The purpose of the amendment is not only to extend renegotiation for 4 years but to strike out of the bill these very provisions that I described and that have been so ably discussed by the gentleman from Texas.

I ask the Committee to defeat the amendment.

Mrs. GRIFFITHS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise in support of the amendment of the gentleman from Georgia [Mr. VINSON]. I trust that the Committee will vote to strike out section 2 and the rest of this bill and to extend this act as it was written originally for a period of 4 years.

I spent a long period of my life as a purchaser for the Department of Defense, for the Ordnance District, and I would like to direct attention particularly to section 2(a) of this bill, the section that is going to force the Renegotiation Board to consider the pricing policies and the contract policies of the negotiators.

I would like to point out particularly to you that there has been developed an incentive pricing contract. This means that after the bidder has bid and the bid has been accepted, if he then saves a considerable sum of money below the original estimated price, that he share in that savings. In my judgment, that sounds very good in theory. I think that you could go along with the idea that if a contract had been negotiated by people who were able and learned on both sides and that then a saving had been realized by the efficiencies of the contractor, it would be a good idea to give him part of that savings.

I understood the chairman of the committee to explain that this part of the Renegotiation Act is actually used in practice now, and if that is true, then I suggest that you leave it just as it is without any further amendment.

I should like to point out that at the present time there has been a bill introduced into the other body, and considerable sentiment has been aroused, to support an extension of this incentive type contracting. I submit, Mr. Chairman, that the incentive type contracting is not rewarding men for the savings they will make.

It is rewarding them for boosting the contract bid price. Because I submit there is not a negotiator in the entire Defense Department who is competent to tell you with any degree of accuracy whether or not a bid is a correct bid. If you have any doubt about this matter, I suggest that you review Senator SPARKMAN'S speech of some weeks ago which was printed in the RECORD in which he pointed out that on every item that had been opened from a negotiated contract price to competitive bidding, the average saving which was realized was 70 percent—70 percent. On one item made by General Electric for which they charged $277.50, if my memory serves me correctly, that item is now made by a concern in Royal Oak, Mich., for $27.50. I submit to you, Mr. Chairman, that if the Department of Defense were competent to negotiate a contract with any soundness whatsoever, the contractors would not be here asking for this incentive type of contracts. I tell you again that the incentive is an incentive to inflate the bid price and not an incentive to save. In my judgment, Mr. Chairman, if this bill as it is now written becomes a law, you can anticipate that the defense bill will not be $41 billion in 1961 but it will be $47 billion or $48 billion. Anything that you do to hurt in any way this Renegotiation Board which is the only weapon a negotiator has in dealing with the contractors is actually an action against the taxpayers of the United States.

The CHAIRMAN. The time of the gentlewoman from Michigan has expired.

Mr. BYRNES of Wisconsin. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, for the life of me I cannot understand the interpretations being put by some people on the actions of the Committee on Ways and Means in revising the present Renegotiation Act and providing for its extension.

Listening to the gentlewoman from Michigan, I would assume that she was under the impression the committee was suggesting the repeal of the Renegotiation Act. There is nothing in what she said, frankly, that has anything to do with the merits of this particular piece of legislation. The Renegotiation Board continues its full powers to assess recovery of excessive profits; look at contracts; and examine the yearly operations of individuals having business with the Government. The Board can determine whether excess profits have been made; can determine the amount of those excess profits; and, unless an agreement is reached, can order the excessive profits paid to the Government. What the bill does, and this is not really anything new, is what we thought the law did all the time. We merely recognize that this agency of the Government is not infallible and we are going to bring any controversy to a court and let them have a trial de novo.

It was never intended for the Renegotiation Board to be a court or a quasi judicial body as was pointed out by our colleague, the gentleman from Texas. It is really an agency of the executive branch, a board appointed which sits down on one side of the table and the contractor on the other. They try to find out if they can reach an area of agreement as to whether there was an excessive profit and the amount thereof. But, it is not a judicial proceeding. All that we do here is what we do for every citizen. We say, "We are not going to take property from you by some bureaucratic determination. We are going to give you at least the right to go to court." And we give them the right to go to the Tax Court and get a trial de novo. Then we say, "You shall have an appeal from that Tax Court to the Court of Appeals for the District of Columbia on matters of law." So if the Tax Court made an error in interpreting or in applying the law, you have a remedy there and you can get justice there. We are just being decent and honest with the people with whom we are doing business, but we are still saying we are not going to tolerate excessive profits.

Mr. MILLS. Mr. Chairman, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield.

Mr. MILLS. Does the gentleman find one thing in this bill that would prevent the Renegotiation Board from reaching the same conclusion in 1960 on the same set of facts that it reached in 1957 or 1958?

Mr. BYRNES of Wisconsin. No.

Mr. MILLS. Certainly not.

Mr. BYRNES of Wisconsin. There is one thing I think we should make clear. We set up the Renegotiation Board because we recognized the uncertainty and the difficulty in establishing the cost in the first instance of these new devices—the new planes, or the new guns, or the new equipment for the military, or whatever it may be. We recognized that there is an uncertainty in determining the cost, so we established this Board.

But let us also recognize that there are also uncertainties as to what is and what is not excessive profit under given circumstances. We must remember that if we want to take reasonable profit out of the picture then the only alternative is to set up Government manufacturing plants, Government operations; and if you think that is efficient, I certainly do not agree with you.

Mr. VINSON. Mr. Chairman, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield.

Mr. VINSON. The distinguished gentleman from Wisconsin answered in the negative the question propounded by the chairman of the committee which was: Would the Renegotiation Board in 1960 reach the same conclusions as to profit determination as it did in 1958? And the gentleman said "It would be the same." I ask the gentleman what is the need and necessity then for any change in the present law?

Mr. BYRNES of Wisconsin. I would suggest to the gentleman that the basic need is to try and make more certain in the law just what the rights of the contractor are, just what the rights of the Government are in many of these things.

What we have done is to take the regulations that are today followed by the Renegotiation Board and write them into the law so that the contractors can know just what rules they are operating under and that they are operating under the same rules as anybody else, and so that when they go before the board they will known just what their rights are.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

(By unanimous consent Mr. BYRNES of Wisconsin was allowed to proceed for 3 additional minutes.)

Mr. BYRNES of Wisconsin. It is a matter of writing, to the extent that you can, some degree of certainty into the Renegotiation Act. And let me say this, I think the committee has done a good job. I do not think it is perfect, and I do not think my chairman would say that we have a perfect bill here. We have not, because you cannot write with certainty a rule as to what is excessive and what is unreasonable, or what is reasonable for every given circumstance which can arise under a Government contract. You just cannot write that in terms of a formula; you have to depend upon judgment, and if you have to depend upon judgment you have to set down standards, and setting down standards is a very difficult job.

All through this matter is this difficulty of the exercise of judgment as to what is excessive and what is not. It is for that reason, Mr. Chairman, that I worry about the 4-year extension rather than a 2-year extension. It is why I favor the 2-year period. The chairman of the committee suggested that if anybody could assure him that this program would not be needed after 2 more years he would favor the shorter extension. I am not so optimistic. I feel that this is a program that is going to be with us for a long time. I think just as we found in committee this year that certain changes and amendments were desirable, and we are all in agreement on that, I think, within the committee. But at least the changes we have put in are reasonable and desirable. We may very well find that 2 years hence other amendments are reasonable or desirable. It may be that some of the things the gentleman from Georgia is worried about, by some stretch of the imagination, may take place. In that case we should come back and review the act again.

As a result of the fact that this is a matter of judgment, we are turning it over to the Renegotiation Board. We may need to keep the law, but we may need to amend certain provisions when the necessity for amendment is shown. It might not be a bad idea to come back in 2 years just to review what the Board has done in that time, to learn what their successes have been, to learn what their difficulties have been. This is not a subject to treat lightly. I am surprised that the gentleman from Georgia, who certainly recognizes the need for productive capacity in this country, who recognizes that we are dependent upon the private enterprise system for that productive capacity, that he would suggest that we not take into consideration giving to these industries and these contractors at least the reasonable rights that we give under any other circumstance to every other citizen.

To me, Mr. Chairman, this is a good bill. It should be supported.

Mr. METCALF. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, I would like to agree with the gentlewoman from Michigan who wants to discontinue incentive contracts, but it is necessary for us to have incentive contracts. They are the facts of life that we are confronted with right now in our military preparedness. That was never brought home more than last year when I was a member of the Select Committee on Space and found the complicated, complex variations in little ordinary instruments that the military needs. It is very difficult to set a target for incentives. This bill meets the facts of life and says when we have to have these incentive contracts we are going to renegotiate if the excess profits are due to the wrong estimate of the target; and if they have had efficiency and have cut the costs, then we both gain from the profits derived from those contracts. The gentlewoman will agree with that, I am sure.

But I did not rise to talk about the incentive feature, because that is a field about which I know very little.

Mr. Chairman, the Renegotiation Board approves this bill. Mr. Coggeshall says the Board desires to express its unqualified approval of H.R. 7086. Mr. Dechert, General Counsel for the Department of Defense, said:

> H.R. 7086 is not the exact form of the extension which we recommended, but in our judgment the additions and changes made as a result of the thorough consideration of this matter by your committee are entirely acceptable and have, in fact, improved the proposal.

One of the ways in which the proposal has been improved was outlined by the gentleman from Texas [Mr. IKARD]. The whole renegotiation procedure has been improved by this proposed appellate procedure which makes it consistent with the ordinary appellate procedure in other Federal courts.

Several times since I have been a Member of Congress I have come down to the well of this House to try to get similar appellate procedure made applicable to other areas; the school bill, the civil rights bill, and some other bills, so that a man would have the right of trial by a judge or jury, as the case may be, and the right of appeal to a higher court. That is all we have here.

Renegotiation proceedings are not a trial. There are no rules of evidence, there is no submission of evidence; there is nothing but a group of people sitting around the table and trying to reach an agreement. If they do not reach an agreement then the Renegotiation Board hands down a decision. From that decision the first legal, formal sort of an appeal is granted. That is to the Tax Court and the trial is de novo. It is de novo now.

The language that we have submitted in the amendment merely clarifies and improves the procedure by which this de novo trial will be held. After the decision of the tax court you can take an appeal on the law if the evidence that was admitted should not have been admitted, if things occurred that should not have occurred in that court under the regular rules of procedure. You cannot contest the facts, but you can take an appeal on the law. That is the basic legal procedure, that is one of the improvements Mr. Dechert talked about in reference to this bill. If the amendment is adopted, that improvement will come about along with the others provided in the bill.

Every time this subject comes up, the administration and operation is improved. Other extensions have come before the Congress for a 2- or 3-year period, and improvements have been made. That is why we have extensions for short periods. We reconsider the subject periodically. It is perfectly natural that as a result of our experiences in past years we bring about improvements. We should be able to draft, clarify, and improve with amendments, which do nothing to harm the basic principles of the bill but do help it in connection with the appellate procedure I have outlined.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. METCALF. I yield to the gentleman from Iowa.

Mr. GROSS. I have listened to most of the debate this afternoon and I have heard of no instance where contractors have been injured by virtue of the present law. Is there any contention made here that there has been irreparable injury done to them in the past?

Mr. METCALF. If the gentleman will read the hearings he will find there were many instances where there was complaint about the appellate procedure and that they did not have an exact new trial de novo. There was some contention in the hearings by these people that there were certain presumptions in the court that arose from the decisions of the Renegotiation Board and as long as those are not legal matters we did not want the presumption to rise.

The CHAIRMAN. The time of the gentleman from Montana has expired.

Mr. O'HARA of Michigan. Mr. Chairman, I rise in opposition to the amendment.

Mr. MILLS. Mr. Chairman, will the gentleman yield?

Mr. O'HARA of Michigan. I yield to the gentleman from Arkansas.

Mr. MILLS. Mr. Chairman, I ask unanimous consent that all debate on this amendment close at the end of the gentleman's remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. O'HARA of Michigan. Mr. Chairman, I would like to direct my remarks to a number of procedural amendments that have been included in this bill. In my opinion, their principal effects are, first, to make it more difficult for the

Government to protect itself in these excess profits cases and, second, to lengthen the time necessary to reach a final determination of them.

I would like to ask some member of the committee about three procedural amendments in particular. The first appears on page 18 of the report. This amendment provides for review of these cases by a special three-man division of the court. Under normal Tax Court procedure, a determination by any one of the judges is subject to review by the entire court. I would like to ask the gentleman why review of excess profits cases should be limited to a special division of the court.

Mr. MILLS. What we are trying to do here is to insure that each one of these cases will be reviewed by not one particular court but at least by three members of the court. We do not say it has to be three, but at least three. We are trying to get as much judgment as possible on review.

Mr. O'HARA of Michigan. Under normal Tax Court procedure, if a decision is rendered by less than the full court, any judge can object to that decision, and there must then be a review of the case by the entire Tax Court.

Mr. MILLS. The review could be made by the full court. We say three or more.

Mr. O'HARA of Michigan. The second amendment to which I refer appears in the middle of that same page. It provides that no presumption of correctness shall attach to determinations of the Board. Now, under normal Tax Court procedures a presumption of correctness attaches to determinations of the Commissioners of Internal Revenue. A Tax Court petitioner has not had the benefit of a judicial, or quasi-judicial determination of his case, but he is burdened with this presumption of correctness. Why should a contractor who has already had a hearing before an independent agency be relieved of it? I can't see any reason to eliminate the presumption in these excess profits cases.

Mr. MILLS. The only reason that is in there at all is to remove the charge that is made that when these men go into the Tax Court they do not go de novo but they go on the basis of a review of the decision of the Renegotiation Board. The law is clear that the Congress has always intended that they go de novo, so we want to go on the basis of no presumption at all but decide it on the evidence submitted in the Tax Court. There is nothing wrong in that.

Mr. O'HARA of Michigan. Does the gentleman plan to offer an amendment to the Internal Revenue Code to the effect that a petitioner in a tax case may have a trial de novo?

Mr. MILLS. I do not, because that is not in this bill. That question is not here.

Mr. O'HARA of Michigan. I feel that a petitioner in a Tax Court case who has a deficiency assessed against him should have the same right to a trial de novo as does a contractor in a renegotiation case.

The third amendment to which I refer is the change in section 108A. In cases arising under the Renegotiation Act, the court of appeals would have the power to affirm or reverse the Tax Court decision, but it is stripped of its power to modify Tax Court decisions in this area. The court of appeals would be permitted to reward cases for further action, a power it would have in any event, but it is denied power to modify decisions where the facts or the law would otherwise demand it. Can the chairman tell me why this change was considered necessary?

Mr. MILLS. The gentleman is referring to the power of the circuit court of appeals?

Mr. O'HARA of Michigan. That is right.

Mr. MILLS. We were trying to limit that in such a way that the highest level that we want exercised is the Tax Court.

Mr. O'HARA of Michigan. Does the gentleman agree that the effect of all these amendments will be to lengthen the time necessary for a determination of these cases?

Mr. MILLS. Under existing law a contractor can go from the Tax Court to any circuit court of appeals anywhere in the United States. They can do that now, on constitutional grounds or on questions of jurisdiction. Here the only difference we are making is that he may also go up on a question of law, and then he can only go to the Circuit Court of Appeals within the District of Columbia, because we do not want a lot of diversity of opinion which might occur if they went to all circuits.

Mr. O'HARA of Michigan. I submit that these amendments have the effect of making it more difficult for the Government to show that a contractor's profits have been excessive. In addition they encourage appeals. Their acceptance will result in substantially lengthened periods of litigation during which contractors are permitted to retain money rightfully belonging to the Federal Government and to retain that money interest free.

Mr. MILLS. I do not think there is any doubt but what the right of appeal on a question of law to the circuit court of appeals may in those circumstances and will undoubtedly in those circumstances delay final decision, but I disagree with the gentleman's conclusion.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Georgia [Mr. VINSON].

The amendment was rejected.

Mr. SIMPSON of Pennsylvania. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SIMPSON of Pennsylvania: On page 1, line 7, strike out "June 30, 1963" and insert "September 30, 1961."

Mr. SIMPSON of Pennsylvania. Mr. Chairman, this amendment is quite easily understood, and, therefore, I shall not take much time with it. Reference has been made to the fact that the amendments which have been made to this bill involve problems which were not completely considered by the committee itself, as was pointed out by the gentleman who last spoke.

My purpose in reiterating that remark is to indicate that this is a type of legislation which is continually subjected to the wills and the whims of those who are charged with the duty of administering the law; and where men's wills, men's opinions are involved, complicated as they are by the wording of this law, there is apt to be, and in fact there are, many differences which do require straightening out either in the courts, which would take a long, long time, or by the Congress.

The purpose of this amendment is to insure that this subject will be before the Congress through its appropriate committees at least 2 years from now. I think it is essential to good administration of this type of legislation, and I hope very much that the committee will adopt this amendment.

May I add that the statement that was made to the effect that because young men are required to go into our military service under draft legislation, and that law presently is 4 years in duration, is no argument that I can see why this or any other type of legislation should be likewise limited to the same period of time. I see no connection whatever. I think that that argument in fact begs the question when we are here dealing with a complicated subject, administered by individuals. Therefore, we should amend the bill and permit the Committee on Ways and Means to review the subject under the compulsion which is incident to the expiration of the law.

Mr. REES of Kansas. Mr. Chairman, will the gentleman yield?

Mr. SIMPSON of Pennsylvania. I yield to the gentleman.

Mr. REES of Kansas. Mr. Chairman, I agree with the gentleman in his views and trust his amendment will be approved.

Mr. SIMPSON of Pennsylvania. I thank the gentleman.

Mr. CURTIS of Missouri. Mr. Chairman, will the gentleman yield?

Mr. SIMPSON of Pennsylvania. I yield to the gentleman.

Mr. CURTIS of Missouri. The gentleman recalls that when we extended it for 6 months, we asked the executive department to make a study. I believe they did not make a real study, and the staff of the Joint Committee on Internal Revenue Taxation has not yet had time to complete their study; is that not correct?

Mr. SIMPSON of Pennsylvania. That is correct. And, therefore, we should not write this law for such a long period that there would be laxity in studying it.

Mr. Chairman, may I finish by saying that even in hours of the direst emergency, we enacted this renegotiation bill for the duration of the war. In peacetime years we have extended it repeatedly for not more than 2 years at a time because we hope that the day will come when renegotiation will no longer be necessary and because we recognized the need to continue to review its operation and administration. I say it is not wise for us in this day to change our policy and pass a Renegotiation Act for 4 years. Let us rather adopt this amendment and study the subject again in 2 years.

Mr. MILLS. Mr. Chairman, I rise in opposition to the amendment.

This matter has been thoroughly analyzed, thoroughly discussed. I would agree with my distinguished friend from Pennsylvania in his statement that just because we have an extension of the Draft Act for 4 years, is no reason for justifying the extension of this. With that alone I would agree. But what I said earlier, the fact that the same circumstances exist in the world that caused us to extend that program, caused the majority members of our committee to reach the conclusion that there was no foreseeable possibility within the next 4 years that this program would not also be necessary as an adjunct of the military procurement program. That is the connection, and that is the only reason the committee is reporting this bill for a 4-year period. And let me assure you, the mere fact that we continue a law for 4 years does not mean that the Committee on Ways and Means will not take another look at it if it becomes necessary.

Mr. Chairman, I hope the Committee will defeat this amendment and pass the bill permitting a 4-year extension.

Mr. VINSON. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I yield to the gentleman.

Mr. VINSON. Mr. Chairman, I rise in opposition to the amendment. Let me say that I sincerely trust that this amendment will be voted down. This bill should be extended at least for the period the committee has recommended, 4 years. As a matter of fact, for the days ahead of us, for the foreseeable future, when 92 percent of all Government contracts are negotiated contracts, it is absolutely necessary to have a renegotiation law, and this should be extended for 4 years or perhaps longer.

Mr. MILLS. Mr. Chairman, I ask for a vote on the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. SIMPSON].

The amendment was rejected.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose, and the Speaker having resumed the chair, Mr. HARDY, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 7086) to extend the Renegotiation Act of 1951, and for other purposes, pursuant to House Resolution 274, he reported the bill back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. SIMPSON of Pennsylvania. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. SIMPSON of Pennsylvania. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. SIMPSON of Pennsylvania moves to recommit the bill, H.R. 7086, to the Committee on Ways and Means with instructions to report the same back to the House forthwith with the following amendment: On page 1, line 7, strike out "June 30, 1963" and insert "September 30, 1961."

The SPEAKER. The question is on the motion to recommit.

Mr. SIMPSON of Pennsylvania. Mr. Speaker, on that I demand the yeas and nays.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that further consideration of this bill be postponed until tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

HOUR OF MEETING TOMORROW

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet tomorrow at 11 o'clock a.m.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

ORDER OF BUSINESS TOMORROW

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that it may be in order tomorrow for the Speaker to declare a recess subject to the call of the Chair.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

GENERAL LEAVE TO EXTEND

Mr. MILLS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to extend their remarks on the bill, H.R. 7086.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

ORDER OF BUSINESS TOMORROW

Mr. BYRNES of Wisconsin. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. BYRNES of Wisconsin. Mr. Speaker, I have asked for this time in order to inquire of the majority leader as to the situation tomorrow.

Mr. McCORMACK. It is the intention tomorrow to dispose of the various rollcalls. Then under the unanimous consent request that was just granted, it will be in order for the Speaker to declare a recess subject to the call of the Chair so that Members may attend the funeral services for our late beloved friend, John Foster Dulles. Then following the recess, it is my intention to bring up the bill to extend the Reorganization Act.

Mr. BYRNES of Wisconsin. Would it be in order to inquire as to the time that the recess might be called so that Members may make their plans accordingly.

The SPEAKER. The Chair would intend to recess from 1:30 p.m. to 3:30 p.m.

Mr. BYRNES of Wisconsin. I thank the Speaker.

Mr. McCORMACK. Might I also say for the information of Members that on Thursday, of course, the Commerce appropriation bill will come up. An agreement has been made by the leadership that any rollcalls on this Thursday or Monday of next week will go over to Tuesday. I want to advise the Members of that so they may govern themselves accordingly in relation to any engagements they have on May 30.

FREEDOM OF SPEECH AND FREEDOM OF PRESS FOR PEOPLES EVERYWHERE

Mr. SAUND. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. SAUND. Mr. Speaker, I have today introduced a resolution which makes clear the desire, hope, and expectation of the American people that their sacrifices in furnishing foreign aid will help to secure for peoples everywhere in the world the blessings of freedom of speech and freedom of the press which we cherish so highly in the United States.

Since the formation of our Nation the name of "Uncle Sam" has become synonymous with the democratic form of government recognizing the dignity and freedom of man.

Lincoln's Gettysburg Address, ending with great words, "government of the people, by the people, for the people, shall not perish from this earth," is known around the world.

I can recall the time when millions of people in India where I was born were electrified by President Woodrow Wilson's slogan to "make the world safe for democracy."

The lofty ideals proclaimed in the Atlantic Charter are a recent memory.

The struggling masses in all corners of the globe, seeking freedom and a better and fuller life, remember clearly the four freedoms so dramatically voiced by President Roosevelt during World War II.

My resolution reaffirms the faith of the Members of Congress in this noble goal.

Whereas the objective of the people of the United States is the attainment of a peaceful world where freedom of the individual and the dignity of man are recognized, and where the state is the servant, and not the master, of its citizens: Now, therefore be it *Resolved by the House of Representatives (the Senate concurring)*, That it is the desire, hope, and expectation of the Congress that nations receiving military assistance under the mutual security program guarantee to their people freedom of speech and freedom of the press.

SUMMIT CONFERENCE TAKE NOTE

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein a strong and impressive resolution pertinent to the summit conference which was unanimously adopted by civic and patriotic groups gathered from many points at the Polish National Home, Glen Cove, N.Y., on May 10, 1959. This resolution was forwarded to me by constituents and other leaders of the Polish group, and it impressed me so much that I felt it should be brought to the attention of the Congress and the American people.

I am especially impressed with the strong declaration of principles contained in the resolution. It is heartening indeed that thoughtful patriotic Americans like the sponsors of this resolution should formulate and publish such a forthright, sterling declaration in behalf of human freedom and the liberation of subject peoples and boldly point the way to diplomatic leaders of the summit conference by which a strong pro-democratic policy may be declared and implemented by the free nations.

From the start I have had little confidence that any concrete beneficial results would flow from the so-called summit conference even though I hoped and prayed with millions of our countrymen and freedom-loving peoples throughout the world that some progress might be made for enduring peace.

It has been clear to me for some time past that the Soviet Government and its leaders do not propose to negotiate in a sincere earnest spirit or in a wholehearted manner for peaceful settlement of pending international questions.

To the contrary, the evidence before us which includes a long list of broken treaties and agreements indicates that the Soviet is intent upon using international conferences like the summit conference as a sounding board for a continual barrage of Soviet propaganda. President Eisenhower himself has recently voiced this conviction.

Under the circumstances, it is hard to envision how any real gain can stem from such procedures. In fact, it is possible that the cause of peace may be set back rather than advanced. I see no good that can possibly come from the petty bickering, grotesque proposals, and flamboyant utterances that emanate from Soviet representatives at the conference. It is an act of pure futility to try to negotiate anything with leaders who do not sincerely seek results from negotiations but, on the other hand, utilize them merely to broadcast false accusations, distortions of truth, and implications of bad faith against representatives of the free world, particularly those of our own Nation.

The equitable settlement of the German problem is of greatest importance to world peace. It is a problem that should have been settled by the victors of World War II long ago. It is a problem on which the free world cannot and must not compromise its principles. There is, to be sure, room for honest negotiations and latitude for honest proposals, but only bad will and increased tension can possibly flow from the circus sideshow atmosphere created by the insincere proposals and utterances of Soviet representatives.

If there is no change in the Soviet attitude toward these negotiations, it would be far better for our representatives not to continue the futility of seeking a solution when there is no purpose on the part of the Soviet to arrive at a solution. This would bring disappointment and disheartenment to a great many people, I know, but it would be far better to face the situation realistically than to continue with the droll buffoonery or bluff, bluster, and propaganda which is currently characterizing the discussions.

In view of what is transpiring at the conference only a miracle can bring about constructive results. But the free world will pray that the Soviet attitude may change and that the light of reason and rationality may soon be shed upon the deliberations else they conclude in frustration and disappointment. At least we can hope and work for the best.

RESOLUTION UNANIMOUSLY ADOPTED BY MEMBERS OF RELIGIOUS, CIVIC, AND PATRIOTIC ORGANIZATIONS ON SUNDAY, MAY 10, 1959, AT THE POLISH NATIONAL HOME OF GLEN COVE AND VICINITY, INC., 10 HENDRICK AVENUE, CITY OF GLEN COVE, COUNTY OF NASSAU, N.Y.

Resolved, That on the 168th anniversary of the Polish Constitution Day we again pause in our daily tasks to honor the gallant and historic Polish nation, and to pay fitting tribute to the indomitable Poles, who throughout the centuries have struggled, bled, and died to perpetuate the liberties of Poland as well as other nations, and to serve the cause of human freedom in the world.

Inspired by the heroism, sacrifice, and devotion to freedom of the many great leaders and people of Polish blood who, in the past, have striven for Polish independence, on this occasion we renew our pledge of loyalty to the principles of freedom, justice, and democracy for which the people of the United States and of Poland have always stood and fought.

We are proud of our blessed heritage—proud that the Polish people have never forfeited their rights—proud that, with inconquerable spirit against overwhelming odds, they have fought to uphold their liberties.

In this great crisis which threatens personal liberty and free government everywhere and which will test whether the world will continue to enjoy liberty or will be cast into the bondage of ruthless tyranny, we call upon our own Government and the other governments assembled at the approaching summit conference as follows:

1. That nothing shall be agreed upon at that conference which will result in further appeasement of the evil forces of world communism.

2. That the nations concerned insist upon decent, humane treatment for the Polish people and the people of other nations currently embraced in the Soviet satellite system who are at present denied all ordinary human rights by Communist compulsion and violence.

3. That the right of self-determination be respected and acknowledged and that the cause of liberation of helpless subject peoples be recognized and sustained by every possible means by the free nations of the earth.

4. That the historic boundaries of Poland in the east, as solemnly agreed upon by the Soviet Government at the Council of Riga in 1921, and in the west along the Oder and Neisse Rivers, as established at Potsdam in August 1945, be now recognized by the Soviet, the summit conference, and the United Nations.

5. That the governments in question shall make no concessions motivated by fear of Soviet nuclear warfare, or for any other reason which will weaken the ramparts of the free world, but on the other hand, shall take a strong, uncompromising position against tyranny and oppressions and in favor of the recognition of the full independence, freedom, and self-determination of all nations.

It is the profound sense of this meeting that human freedom could well be destroyed and lost to the Marxist hordes by any showing of weakness.

At the same time, it is our firm conviction that human freedom, independence of free nations, and the personal liberty of mankind can and will be saved for ourselves and for posterity, and liberation of the oppressed and helpless can be best achieved, by a fearless, united stand against Soviet aims and actions, by the unalterable will and determination of freedom-loving peoples to retain, at all costs, the precious blessings of liberty and justice under the living God.

B'NAI B'RITH CONVENTION

Mr. PELLY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. PELLY. Mr. Speaker, a 5-day triennial B'nai B'rith convention is currently being held in Israel. Delegates of this Jewish service organization from America include a past president of the Seattle Lodge, one of my close personal friends, Albert Youngman. Through him I have become familiar with the community service and welfare work of the Jews in my district and, of course, likewise throughout the entire country.

I was much interested to read a news report from this first convention to be held outside the United States. It quoted B'nai B'rith president, Philip M. Klutznick, of Park Forest, Ill., to the effect that Jewish life was not in jeopardy in the non-Communist world.

On the other hand, last Sunday in New York City the Reverend Dr. Leo Jung, spiritual leader of the New York Jewish Center, pointed up in a speech that the opposite situation exists in Communist Russia. Dr. Jung warned of Soviet efforts to destroy Judaism behind the Iron Curtain. He said constant pressures upon religious Jews by Soviet Government fiat were leading to individual assimilation and group extinction.

Let us not forget these contrasts when the foreign ministers are meeting in Geneva or even when Mr. Gromyko comes over to attend the funeral of Mr. Dulles who was a dedicated and uncompromising advocate of freedom and individual rights.

PASSPORT REGULATION

The SPEAKER. Under the previous order of the House, the gentleman from Illinois [Mr. COLLIER] is recognized for 15 minutes.

Mr. COLLIER. Mr. Speaker, within a matter of just a few days, a year will have passed since the Supreme Court rendered its decision in the case of Kent against John Foster Dulles.

This ruling opened the gates to unlimited travel abroad by native-grown subversives, communists, and their fellow travelers.

As of today, Congress has failed to act in correcting the dangerous situation which this decision created.

Just 2 days after that decision was rendered by the Supreme Court, I introduced the first legislation in this House which would authorize the Secretary of State to use the same discretion in issuing passports that had been exercised by the Department of State even in times when the conditions of our national security were not as significant as they are today.

Since that time, eight bills have been introduced to amend the Passport Act of 1926 so as to reinvest in the State Department the legal power to deny passports to those who are established communists or have engaged in communist activities.

I might add that I reintroduced my bill at the start of this session of Congress because no action was taken last year as I definitely feel it should.

Other legislation of a little different composition but designed to carry out the purpose of my bill was forthcoming at the start of this session also.

Needless to say, it does not make a great deal of difference what bill is ultimately passed by this Congress, just as long as the purpose is accomplished.

After all the years and the time and money that was spent to unveil Communists in this country, including many right in the Government itself, it seems ironical that we should be at all hesitant to close the door to the flow of subversives through proper legislation.

The late John Foster Dulles submitted to Congress a draft bill 11 months ago urging adoption of this legislation in the interest of national security.

Let there be no mistake about this. I believe the right of any American to travel is basically as right, as proper, and as necessary as freedom of speech, and freedom of the press. But, as Columnist Roscoe Drummond so aptly describes it, freedom of speech is restricted by the laws of libel and restraints against yelling "fire" in a theater when there is no fire.

So some restriction on freedom travel is proper when such travel can be abused to the point of clear and present danger.

Last year the House Committee on Foreign Affairs and the Senate Committee on Foreign Relations held hearings on this subject. Both the House and Senate Committee on the Judiciary and the House Committee on Un-American Activities have similar measures pending.

The net result is that nothing tangible has been accomplished.

Certainly everyone who is acquainted with the case of Boris Morris, for 10 years a counterspy employed secretly by the FBI, knows well how espionage works right under the noses of unsuspecting Americans.

We know, too, that one of the essentials of any conspiracy is for the conspiring parties to get together from time to time.

One of the real advantages we have had in controlling or countering the network of Communist conspirators in the United States was that our counterintelligence agencies have been able to keep a close watch on commies and their fellow travelers.

It was possible through this close scrutiny not only to discover enemy agents but to keep a close surveillance over them at all times.

It is hard to estimate how much potential sabotage and espionage in military affairs has been prevented because of careful surveillance of fifth column elements.

Instead, today we are faced with permitting avowed Communists and their fellow travelers to move abroad at their very whim and to travel with passports bearing the seal of the United States.

We use national security as an alibi whenever it so pleases us to affect all types of legislation. We tack national security onto a dozen and one spending bills to make them more palatable.

Yet we do nothing about a situation which permits Communists to scoot from the sight of our FBI agents almost at will.

Under this arrangement even foreign agents may move back and forth here and abroad because the decision of the Supreme Court in the Kent against Dulles case has simply frustrated the program so effectively administered until a year ago.

Here is the crux of the whole problem. The Supreme Court ruling simply states that the Congress has not given the Secretary of State authority to withhold any passport except in cases of definite proof that the applicant is fleeing from justice.

Legislation to spell out the desire of Congress to give such authority to those agencies of Government charged with the responsibility of our national security, requires only the action of this body.

It seems to me that this legislation is important enough to the security of every American to do something about it one way or the other.

I see no reason why this bill should not be reported. I feel sure there are many other Members of this House who feel as I do about passage of legislation to plug the loophole which now exists.

On the other hand, if the majority of the Members of this House do not feel that this is good legislation, then they should be given an opportunity to be recorded in opposition to it.

I contend that we will be failing in our duty and responsibility if we fail to take some action during this session of Congress. By simply letting it die in committee with adjournment for the second straight year, we would be remiss in one of our most important duties and responsibilities.

BONG AIR FORCE BASE, WIS.

The SPEAKER pro tempore (Mr. THORNBERRY). Under the previous order of the House, the gentleman from Wisconsin [Mr. FLYNN] is recognized for 30 minutes.

Mr. FLYNN. Mr. Speaker, I rise in defense of the Air Force and defense of this body in approving the plans presented to us by the Air Force, and in defense of the plans of the military in deciding that there was need for another base for the Air Force to be built in the area of Racine and Kenosha, Wisconsin. The people of this area are concerned and are somewhat disturbed because of various statements that have been and are currently being uttered by Members of this body, some in favor of and some against the continuation of the building of Bong Air Base at a cost of something over $83 million.

This body approved the construction of this base to be turned over to the Strategic Air Command, believing that it was necessary in the defense of the United States. We know that the Strategic Air Command has assigned to it the basic defense of this country in the event of attack. We know that the Strategic Air Command has for years developed bases not only in this country but also throughout the world in order that it might be able, adequately and properly, to defend this country in the event of attack, and that they might be able to counterattack against those countries who would dare any such act upon the integrity of our soil or our people. They have said that this base is necessary. Committees of this Congress have reviewed their testimony and have decided that the base is necessary. Millions of dollars have been appropriated by this Congress. Yet statements are being made that this base is filled with waste, frills, and extravagance, that we are building into this base swimming pools, steamrooms, squash courts, bowling alleys, stores for the purchase of various commodities, that this constitutes luxuries and frills which should not in this modern day and age exist on a military base.

I have here in my hand cartoons and editorials that have appeared in every one of the major papers in my district within the past week.

Some are in favor of it and some are against, but most of them view the situation with alarm and are wondering whether or not there is waste. I feel it is important that we discuss this matter here on the floor of the House.

Mr. REUSS. Mr. Speaker, will the gentleman yield?

Mr. FLYNN. I yield to the gentleman from Wisconsin.

Mr. REUSS. I am very much interested in the remarks of my very good friend and colleague, the gentleman from Wisconsin [Mr. FLYNN].

I want to say at this time that I commend him for bringing this subject to the floor for discussion. I agree thoroughly with him. It is important that it be discussed. So often, you know, matters involving millions and millions of dollars do not get proper scrutiny. Sometimes they are not even presented in detail to the various House committees, such as the House Committee on Appropriations. Therefore, it is a real public service that the gentleman is performing by framing the issue for debate here this afternoon, and I want to commend him for it.

Mr. FLYNN. I thank the gentleman. I know of the great interest of the gentleman, and would say further that certain of the statements he has released have brought this matter sharply to the attention of the people. I thank the gentleman for his contribution.

Mr. Speaker, we are living in 1959. Many of the bases of the Air Force were built years ago. The *Kitty Hawk* was built years ago, and we would no more expect the Air Force today to build one of its modern airplanes of the type of the *Kitty Hawk* than we would expect the Air Force to build an airbase today of the type that the *Kitty Hawk* flew off of when it first took to the air.

This body has found that in training one airman the Government has an expense of over $40,000. When these men are drafted into the service, living under the conditions that previously existed in the older type of air field, with no accommodations comparable to those in civilian life, we found them leaving the service as soon as their tour of duty was over. This body decided, when the military program changed from one of compulsory service, to an inducement service that we would have to change the type of accommodations afforded our military people.

When we enacted legislation to provide Capehart housing we decided to give our airmen homes at a cost of $16,500, homes that were comparable to those which they might enjoy in civilian life, so that they, their wives and families, would want the member of the Air Force to reenlist when his time was up. They are not luxurious accommodations, but they are normal accommodations, such as the civilians enjoyed.

We have found that it was cheaper for the Government to furnish the Capehart homes than it was to give them the tents and the old type of barracks that formerly existed upon military bases. The same is true with swimming pools, the gymnasium, and the bowling alley.

On this base there will be some 20,000 people, including the families and those who will work around the base. Unless these people are afforded the same type of service that they can get in their various civilian communities, the same type of service that we in the Congress enjoy in the steamroom accommodations here and the other athletic facilities that are furnished, they are not going to reenlist when their term of service is up. They would disassociate themselves at that time, go back into civilian life, and the Air Force must train new personnel, young men, at a cost on each occasion of in excess of $40,000.

I ask you, is it more prudent, is it better economics, when building a new airbase, to build in the bowling alley, the swimming pool, yes, a squash court at a moderate cost, than to continue in the years ahead to pay $40,000 for the training of each new airman?

Is the Air Force wrong, in recognition of this fact, in asking their architects to draw plans which include these facilities? I say it is not waste, it is not extravagance. It is prudent, it is recognizing the modern day in which we live, it is recognizing the fact that we must keep our military installations on a par with civilian life if we are to keep these men, men who are experienced in flying these large planes today, in the service, if we are to induce these men to reenlist and make a career out of flying, rather than to make it just a 3-year stint in their lives, a period between enlistment in the service and the taking up of civilian duties.

Now, the time is running short and I realize it is late in the day, and there are many things I would like to say. But, suffice it to say that I was compelled to bring this matter to the attention of this body for your consideration so that the matter could be thrown open, so that charges of waste and extravagance could either be proven or so that those of us who might be inclined to make such charges would recognize that the charges were wrong and would not incite the civilian population, would not bring discredit upon the Air Force, their plans and their programs for the building of this base, and for the building of any other military base that they might decide to build in the future.

Mr. REUSS. Mr. Chairman, will the gentleman yield?

Mr. FLYNN. I yield to the gentleman from Wisconsin.

Mr. REUSS. I notice that the gentleman in his opening remarks said—I think I heard him right—that this body, the Congress, had approved the plans for the Bong Air Force Base. I take it what the gentleman meant was that this Congress authorized the construction of the base and has from time to time voted appropriations for it. I do not take it that the gentleman meant to suggest that any congressional committee has approved the detailed architectural plans for Bong Air Force Base for the inclusion of certain items, such as squash courts or Turkish baths or indoor swimming pools or bowling alley or hi-fi equipment.

Mr. FLYNN. This body has approved the basic request made by the Air Force for the construction of Bong Air Force Base in Wisconsin. They have appropriated the funds and they have approved the retaining of an architectural firm from Omaha, Nebr., to draw what they call definitive plans, preliminary plans. These definitives as drawn by the Daly architectural firm in Omaha, Nebr., have been presented to the Members of Congress—I have one in my hands—and from these plans are now being drawn by other architectural concerns minute details under which this base is going to be built. However, these definitive plans do indicate that at the request of the Air Force, the architectural firm include therein a six-lane bowling alley. And I point out that for 20,000 people six alleys in number are not excessive.

I point out further that according to the remarks made by the gentleman in a recent newspaper article that appeared under his name, that the surrounding territory, the cities of Racine and Kenosha, located some 20 miles from the base, had adequate facilities. From a very careful investigation, I find that that is entirely incorrect. The city of Racine has but one public swimming pool and recreation room. It is located in the YMCA. It was designed for use by 75 people. At present there are 125 full-time paying members of the Health Club, and many individuals using it on a daily fee basis. Almost an identical situation exists in the city of Kenosha.

I want to point out also that the men in the Air Force not only fly these planes, but they are on 24-hour alert. There are only a few days—I believe 2 days—in the week when they have free time. When these men are through flying, they come back to the base and they go on a 24-hour alert and must be available. Not only that, but under arrangements and guarantees made by the Air Force, these same men must be not on the ground but up in the air with these planes on a 15-minute alert. The major defense of this Nation at the present time is dependent upon the Air Force for filling its obligation and its promises. And, I point out that these men could not travel 15, 18, 20, or 25 miles to the city of Milwaukee or Racine or Kenosha to take a steam bath or play volleyball or use the squash courts or the gymnasium in 15 minutes, when they have to maintain a 15-minute alert on the base. This base is being built about 25 miles from any large city; yes, 45 miles from Chicago, 25 miles from Milwaukee. It is a long distance from any large city. And, when you have these men on 24-hour service, it is incumbent upon the Government to furnish our men adequate and reasonable athletic and recreational facilities, both for themselves, their families, and their friends. They cannot be expected to take a bus or car and drive 25 miles to take a swim or use a tennis or volleyball court on an evening. Therefore I say that any modern base or any other base built away from metropolitan centers of necessity must have reasonable athletic and recreational facilities and that it would be a waste of the taxpayers' money, and poor judgment, and squandering, to build a base of the type we used in the 1800's. We are living in the 1960's, and today we must build a base geared to 1960 defense, geared to an Air Force that is going to operate in all kinds of weather. I have said before it would be ridiculous to build a base of the type that the Wrights flew off Kitty Hawk. I feel that in approving the general program and appropriating a large share of the $83 million that is going to be required for the base, it is good judgment to provide these facilities. And, I believe that the committees who have undoubtedly looked

over the plans undoubtedly knew there were going to be these facilities.

Mr. REUSS. Mr. Speaker, will the gentleman yield?

Mr. FLYNN. I shall be glad to.

Mr. REUSS. Is the gentleman positive that the Congress, or any committee of the Congress, has actually approved the specific items I have mentioned? I am under the impression that the Committee on Appropriations and the Congress in acting on appropriation bills merely approved general sums to be spent for the Bong Air Force Base and definitely has not acted one way or the other on these specific items which I mentioned.

Mr. FLYNN. The gentleman is correct. This Congress on matters such as this does not get into specifics. However, committees of Congress usually do. A few days ago, I believe roughly 2 weeks ago, this Congress approved in the military construction authorization bill the expenditure of some $23 million for the Bong Air Base. There were several Members of this House, many of them from our State, who refused to vote for the entire military construction bill for the sole reason, as they informed me personally, that this appropriation bill of some $1,800 million included $23 million or thereabouts for the construction of the Bong Air Base.

Mr. REUSS. Mr. Speaker, will the gentleman yield further?

Mr. FLYNN. I am happy to yield.

Mr. REUSS. I, myself, did vote for that military construction bill, and I was not the least put off by the inclusion of this amount for the Bong Air Force Base, because, while, as the gentleman knows, I differed with the fundamental position to put it there, once it was decided to put it there, I went ahead and voted the appropriations.

Mr. FLYNN. The gentleman did. The gentleman has been very liberal in voting for the appropriations. I know that fundamentally he is as interested in the base as I am. I know the gentleman's sole interest is to see to it that we do not waste the taxpayers' money, the money which his people will pay, as well as mine.

Mr. REUSS. May I further say that the $23 million recently voted in the authorization bill for the Bong Air Base did not contain any of the items which I have been questioning, and which I have questioned this afternoon. There was a complete listing given before the Armed Services Committee by the Air Force personnel when they came up and testified, and none of the items which I consider borderline or wasteful items were included.

Mr. FLYNN. Mr. Speaker, if I may explain this to the gentleman. This base has groupings of buildings into what they call five composites. These buildings are not being constructed all at one time. Separate contracts are being let for them, and they are coming to this Congress and asking for appropriations as they are prepared to build a new set of composites.

It may well be that the buildings to which the gentleman refers, that were approved recently, did not have these recreational facilities in them. But when they come to this Congress for the money to build a community center, which is the group around which these recreational facilities will be built, then, of course, they will need the money that we are talking about here today.

Mr. KASTENMEIER. Mr. Speaker, will the gentleman yield?

Mr. FLYNN. I yield to the gentleman.

Mr. KASTENMEIER. Did I understand the gentleman to say that he feels that all other bases similarly situated—that is, apart from a metropolitan center—ought to have similar accommodations, such as bowling alleys and steam rooms, and so forth?

Mr. FLYNN. Yes; I do. I had the privilege and pleasure during the Easter recess, because of this base going in my district, to travel to Omaha, Nebr., which is the home of the Air Force and to go through the entire base located there, much of which is underground. I found there that this base, although it is beautiful at this time, was one of the old type bases that had to be entirely renovated and remodeled. I found there that they had no adequate officers' quarters. The officers themselves, through subscription, through the raising of money, built a very lovely officers' quarters. There was some small contribution from funds other than their own, but the great bulk of the money that went into the officers' quarters was money that they contributed.

I found also in talking to the men in charge that this is one of the great problems that the Air Force is having. There are some 60-odd bases throughout the world, not only in this country, but throughout the world, and they have inadequate recreational and athletic facilities for their people. Their men, therefore, sometimes because they, themselves, are dissatisfied and sometimes because their wives and families are dissatisfied, have a tendency to leave the service. Then the service must train new personnel. It was they who asked, some of those who subscribed, who asked for better homes. That is, it was at their urging, largely, that this Congress was prompted to adopt the Capehart Housing Project. They are attempting to remodel the older bases and bring them up to standard so as to keep their personnel and have a modern system of bases, not only just one or two.

Mr. KASTENMEIER. Specifically, does the gentleman know of other bases recently constructed or currently under construction which have the same facilities and accommodations, which have been the focal point of this discussion?

Mr. FLYNN. To my knowledge, this is the only one currently under construction, although I have information to the effect that in the future—not in the immediate future—there will be three more bases, in addition, and I presume the same request will be made for them.

As I said, with reference to the 60 bases that they have throughout the world, many of these facilities are established through solicitation of the airmen, themselves, or through the communities attempting to get at least officers' quarters adequate to take care of the needs of the people.

Also I traveled to Lincoln, Nebr., on the same trip and there found that they, too had built, not as nice, but an entirely adequate officers' quarters for the airmen who are stationed at the airbase at Lincoln, Nebr., which is some 50 miles away from the home base at Omaha.

Mr. KASTENMEIER. I thank the gentleman.

AIR FORCE RECREATIONAL FACILITIES

The SPEAKER. Under the previous order of the House, the gentleman from Wisconsin [Mr. REUSS] is recognized for 30 minutes.

Mr. REUSS. Mr. Speaker, I take this time to direct the attention of the House to some of the matters which have just been discussed by my good friend and colleague, the gentleman from Wisconsin [Mr. FLYNN]. I think it is entirely in order that Congress take a look at what the Air Force proposes to do with this first superbase at Bong Airfield in Wisconsin because, as the gentleman from Wisconsin [Mr. FLYNN] said, they may have this in mind for other bases, and what would run into perhaps a million dollars at the Wisconsin base could ultimately run into hundreds of millions of dollars just as the original request for the Air Force Academy was $146 million and finally, when the Comptroller General got through making his report, the recorded cost came to $176 million for the Air Force Academy. If you add any related costs for Capehart housing and additional plant improvements, the total cost according to the General Accounting Office comes to $269 million. This cost-plus method of construction, if I may use the phrase, should be enough to put the Congress on its mettle where the Department of the Air Force is concerned, so that we can in each case determine that, while the Air Force should have every penny that it needs to see to the health and recreation of and decent environment for the fine young men and women who are members of our Air Force, at the same time we always ask the question: Is a particular facility really necessary? Can the job be done with a lesser outlay of the taxpayers' dollars? Because we must remember that every dollar that we spend on something that is not necessary means a dollar off of what is so highly necessary for our national defense: construction of intercontinental ballistic missiles, the defense against jets, better defense against submarines, conventional warfare, and all the things that we are not doing which we ought to be doing.

But let me again thank the gentleman from Wisconsin [Mr. FLYNN] for bringing up the matter here, on the floor. It is perfectly true this has not yet been debated before the Congress. It has not yet been the subject of a committee inquiry, and it is high time the Members had an opportunity to look at the issues. I have objected, and the

gentleman from Wisconsin reports me correctly, to certain items. I have objected to the inclusion in plans for the Bong Air Force Base of squash courts, of Turkish baths, massage rooms, indoor swimming pool, hi-fi shops and one or two other items. The reason I object to the inclusion of the squash courts, the Turkish baths, the massage rooms and the indoor swimming pool, is that it does not seem to me to be really essential to the health, relaxation, and recreational well-being of the Air Force personnel. I am not attempting to run down squash. It is a game in which in my day I have participated and I have gotten a good deal of enjoyment out of. And I certainly do not want to say any unkind things about steam bath or massages or a dip in a pool. They are very pleasant and at times are even beneficial. But I would like to ask this: Is there competent medical testimony that a good workout in an all-purpose gymnasium, and I am all for an all-purpose gymnasium, like a game of basketball or a game of badminton or volley ball or calisthenics followed by a shower—is there competent medical testimony that that is inferior from the standpoint of health to a game of squash or a steam room treatment or a dip in a pool? Is squash the only exercise that can unwind an airman after a long flight and is that the only adequate recreation, as the gentleman says, for the airmen and the ground personnel and their families and friends? I think not. The same goes for these other ideas for a somewhat similar game, the game of court tennis which was a game that used to be played with great enjoyment by Louis XV of France. A court tennis court costs around $1 million. It is a most enjoyable game and, indeed, a healthy game. Surely the gentleman would not suggest that we make court tennis courts standard equipment on all our airbases. If an airman or civilian personnel attached to an airbase wants to play squash, there is at least one other court in the State of Wisconsin at the University Club in Milwaukee. It is a really good court and I will be delighted to help him get guest privileges there if he wants to drive in to enjoy this form of relaxation. I, like so many others, was in the military service for a good part of World War II. During that entire period, I spent time at Camp Joseph T. Robinson and Camp Van Dorn and Fort Benning and many another paradise of the military. I never saw an indoor pool or a squash court or a turkish bath or a massage chamber built at the taxpayer's expense. I believe we can give our servicemen adequate recreational facilities without wasting tax dollars. It is these extras that go beyond the normal worthy recreational requirements that I object to.

Just this morning I called the Turkish Embassy to ask them whether the Turkish Army had Turkish baths, and I was informed that in all the length and breadth of Turkey, taking into account every military, naval, or air installation they had, there is not one single Turkish bath there. It seems to me that if the Turkish Army can get along without Turkish baths, certainly American airmen can.

Now we get to bowling alleys. Bowling is a great sport, certainly, but I suggest that just 17 miles away in Wisconsin there are more than 100 bowling establishments available which would be just delighted to take care of the servicemen. What the situation is in Racine and Kenosha I do not know, but I do know that Milwaukee has more than adequate facilities.

As to hi-fi, I know that in any of the large nearby cities there are shops that have available adequate material in this line and they would have no difficulty getting their needs met.

There are excellent schools and universities nearby. The University of Wisconsin is an eminent university only a few miles away. It seems to me their needs can be supplied by existing educational facilities and institutions and thus great savings be made for the taxpayers.

As I have said before, I have had my objections to putting Bong Air Force Base where it is in the first instance. I could not quite see why they should put a strategic bombing base so far from its only potential target and right athwart the Milwaukee-Chicago air traffic lane. I objected to the fact that the civilian traffic in general from the airport at Milwaukee will be seriously discombobulated by activities at the Bong Air Force Base. I objected to the fact that traffic between Milwaukee and Chicago will have to detour to the middle of Lake Michigan to get out of the approach lane to the Bong base. There were many objections to this location for the Bong Air Force Base. It could be located at other places and result in economy in government.

One of the reasons the Air Force insisted on putting the Bong Air Force Base with its potential 5,000 men there was that it was close to the city of Milwaukee and also to Racine, and Kenosha, and Chicago, with their magnificent cultural and recreational facilities. Now that they have placed it very close to these major metropolitan centers they insist on decorating it with extras as if it were set on a mountain top or in a remote desert. The gentleman from Wisconsin [Mr. KASTENMEIER], in a colloquy with the gentleman from Wisconsin [Mr. FLYNN], indicated it should have been installed elsewhere.

I know that the gentleman from Wisconsin [Mr. KASTENMEIER] is proud of Truax Field, which is located in the largest city in his district, the city of Madison. It is located very close, less than 5 miles from town, and at Truax Field there are some 2,346 military personnel, two Air Force interceptor squadrons, or about half the military personnel that will be at the Bong Air Force Base. At this base they do not have a swimming pool, bowling alleys, squash court, steambaths or massage, hi-fi shops, and these other things. Not even a gymnasium.

Then there is another large military installation in northwestern Wisconsin, Camp McCoy, which was built to house 30,000 men. At this base there is no squash court, no steamroom, no massage room, no Turkish baths, no bowling alleys, no indoor pool, and no gymnasium. If this base, often used by more than 30,000 men, could get along without these frills, why are they so necessary at the much smaller installation in the Racine area which is so much closer to the major cities?

Then another consideration is the question of the permanence of this field and others. Without revealing military secrets, it is possible they may not be too permanent due to the developments that are taking place in the field of missiles. It seems to me it is common knowledge that the pattern of our strategic air force is going to be changed, as I say, due to missile advances. Will this make this installation obsolete in a very short number of years? The Air Force has upon occasion practically conceded that this could happen. Then why should it sink vast sums of money into elaborate facilities, facilities which could be left out or cut in cost or elaborateness, and which ought in my opinion to be cut?

The gentleman from Wisconsin [Mr. FLYNN] has, as I say, made a very valuable contribution by bringing this issue here to the floor. However, I sincerely believe that there are major faults with the Bong Air Force Base. I think they ought to take a long second look at it.

I think if it does so it will save the taxpayers millions of dollars.

I know that the gentleman from Wisconsin [Mr. FLYNN] is a Member genuinely dedicated to economy and efficiency in Government, and I hope, therefore, he will join with me in scrutinizing closely these items because I am deeply convinced if he does so scrutinize these items he will end up by agreeing with me that our Air Force should take a second look before pressing them.

Mr. FLYNN. Mr. Speaker, will the gentleman yield?

Mr. REUSS. I yield to the gentleman from Wisconsin.

Mr. FLYNN. I thank the gentleman for his contribution. I want to say that that I will be most happy, and I think the people of our area will be looking to us to make just the type of investigation and analysis of which he spoke. I will be most happy to join with him so that we may come to a definite conclusion as to whether or not waste is being committed.

I would like to mention three things on which the gentleman commented. First, the gentleman referred to waste and extravagance that is possibly existing in the new Air Academy that is being built. The gentleman is a very, very fine lawyer and knows that in a courtroom any reference to another matter is irrelevant and cannot be admitted into evidence. We cannot by reference to something that we admit has probably become either corrupt or where something has gone wrong with an entirely different installation claim that something is wrong with Bong Air Base.

We have heard on the floor of the House statements by several of our very honorable Members that there was something wrong in the expenditure of

money at the Air Academy; however, there has been no such charge about the Bong Air Base. Bong must stand on its own feet. I do not believe the appropriations that have been recommended for Bong Air Base should be criticized until we have heard that the Air Force is exceeding the appropriations they have asked for, and we should not attempt to arouse the feeling of the people because of waste and extravagance on some other air base.

Mr. REUSS. If I may interrupt the gentleman, I recognize that under strict courtroom rules it may not be possible to bring up the matter of what happened at the Air Force Academy out in Colorado; however, I call the gentleman's attention to an old legal maxim; "extravagantis in unius, extravagantis in omnia," if you are wasteful in one thing you may be wasteful in others. To me that is a Latin maxim that applies to the Air Force.

Mr. FLYNN. Yes; and we are very familiar with the guilt-by-association doctrine that was developed by one of our Representatives of late memory. I would not want to apply the doctrine that he so ably developed of guilt by association to the military. I would not want us to become guilty of saying what we charge him with saying in the recent past.

I would like further to say this: There was reference made to a crown type of tennis court costing a million dollars. The inference could only be that some such expenditure would be involved in a squash court. I have no figures on the construction of a squash court, but the gentleman will admit, I am sure, that the construction of a squash court involves only a small amount of money, a small percentage of a million dollars. I do not know what it would be, but I believe it would be perhaps a few thousand dollars at the most would go into the construction of squash court.

Finally, I want to say this country has come to a new appreciation, a new sense of values, as far as the military is concerned. In the past, and prior to the development of air power modern transportation and atomic bombs, we had two peaceful seas that protected this country. We relied on them for defense. We had only a small standing Army. We conscripted men into the service only in time of a national emergency. Since the advent of World War II we have found it necessary to maintain large standing armies and reserves in the various branches of our services. So we have gone from the day when boys spent from 1 to 2 years in the service through conscription to the day when we are asking people to make a career out of the military service. In order to encourage this we have to provide retirement systems and pensions so that they will spend their entire productive years in the service. Therefore, we must change our conception of the type of military barracks that we have. No longer can we have barracks of a room and a cot. We must provide homes for married men, we must give them the same type of comparable facilities that they would have in civilian life. If we do not, the cost to this country is going to amount to many million dollars more than if we provided these educational and recreational facilities in the new bases that we have built, and unless we modernize some of the older bases, at least to provide a minimum amount of these same facilities.

I thank the gentleman.

Mr. REUSS. I could not agree with the gentleman more that adequate recreational facilities and a decent environment are essential for the men in our armed services. However, my point is that before we provide squash courts, hi-fi rooms, and massage chambers at Bong Air Force Base for the limited number that can use them, we ought to see that the men at Truax Field, at Camp McCoy, and at 100 other installations get something approximating a bare minimum of amenities. I am opposed to setting up a new base at which the facilities are so out of line with those existing at 100 others.

Mr. KASTENMEIER. Mr. Speaker, will the gentleman yield?

Mr. REUSS. I yield to the gentleman from Wisconsin.

Mr. KASTENMEIER. I would like to ask my colleague just what we are talking about here in terms of money. Do you have any approximation as to what might be saved by eliminating these so-called frills at Bong?

Mr. REUSS. I believe a good look at the $90 million plan set up by the Air Force at this Bong Air Force Base could save close to a million dollars without in any way cutting down on legitimate recreational or health activities.

Mr. FLYNN. Do you have anything to back up the figure of $1 million.

Mr. REUSS. Nothing other than the estimates given me by competent architectural people in the Corps of Engineers whose work it is to actually construct these bases. Let me say in that connection that I think further waste is created by the practice of the Air Force, the Strategic Air Command, I should say, in hiring this Omaha firm of architects to make preliminary and somewhat dreamy plans. Then the construction goes to the Corps of Engineers who, in turn, hire architects both to make the preliminary plans and the final rendering of plans and specifications. I suggest that this is another instance of duplication and waste. If the Air Force in the first instance were to go to the people who build the base, namely, the Corps of Engineers, not only would we save dual architectural fees but, perhaps, get more reasonable and hardheaded plans in the first instance.

Mr. FLYNN. From estimates given to me over the weekend, the total cost of all the so-called frills of which the gentleman speaks would be far less than $1 million. Part of the study, which I would like to join with you in making in order to give concrete evidence to the people, is to make an exact determination of the exact amount of money involved. I am told that bowling alleys could be installed for $8,000 apiece or $48,000 for six alleys. That is the most expensive part of all, both educational and recreational and other facilities that you speak of, and the total cost of all of them would be about $100,000. I do not believe that the figure of $1 million is anywhere near realistic at all.

Mr. REUSS. How much is the gentleman going to build that indoor swimming pool for, 64 by 84 feet, with 8 racing lanes and 3 diving boards?

Mr. FLYNN. It is my understanding that the gentleman said he had no objection to the construction of a gymnasium.

Mr. REUSS. That is correct.

Mr. FLYNN. I believe that included that equipment. If you exclude the swimming pool from your gymnasium facilities, then I would have to add that to it. I do not believe, however, that your swimming pool will exceed $20,000 or $25,000.

Mr. REUSS. Even if the gentleman is right that the total cost of these items is only $125,000—$100,000 plus the $25,000 swimming pool—I am not going to contest that this afternoon because I do not have the exact facts here, but, even if he is right, let me say this, that I think the taxpayers have an interest in preventing the expenditure of even $125,000 if the same facilities, if the same amount of welfare and enjoyment, can be provided without that expenditure.

Mr. FLYNN. If the construction of these facilities causes just three men in the Air Force to reenlist for 3 years, we will have paid the entire cost of these educational and recreational facilities. And, I say without any fear of contradiction that the building of these recreational facilities at this base will over the years to come cause hundreds of airmen to reenlist, and our saving, caused largely by these facilities and the Capehart housing program, is going to save this country millions of dollars. If we do not put them in, we are nearsighted, we are squandering the taxpayers' money, because we are not getting the most for it. I join wholeheartedly with the gentleman in saying that bases such as Truax Field at Madison and many other bases throughout the country will, of necessity, in the years ahead—that is, if we are going to follow the concept of having a permanent army of career men who will stay for many years in the military service, that we are going to have to build at least minimum facilities similar to these on all of our major bases in the country.

PUBLIC JUNIOR COMMUNITY COLLEGES

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Oregon [Mr. ULLMAN] is recognized for 15 minutes.

Mr. ULLMAN. Mr. Speaker, during the closing months of the 85th Congress I introduced legislation designed to encourage the establishment of public junior community colleges. I did so because of my firm conviction that an expansion of the junior college concept offered much to a nation seeking improvements in its educational opportunities and facilities.

The response to my proposal last year was most encouraging. It elicited letters of support from leading educators and professional groups as well as from

parents and other citizens who were anxious to expand this important phase of the total American educational program.

Needless to say, our educational problems are still very much with us. The tide of college students continues to rise; the importance of higher education continues to gain ever wider acceptance.

Moreover, we now ask more—both quantitatively and qualitatively—of our educational system. The increasing complexity of modern life underlines the need to accelerate an expansion of educational opportunities if our citizens are to have the training needed to meet the perplexing problems of our confused era. A restless world demands the maximum utilization of our intellectual prowess. As the National Education Association recently pointed out:

> The mounting importance of education in the United States rests upon several basic considerations. It provides much of the specialized and advanced education to meet the mounting demand for highly trained manpower. It is a principal source of basic research which provides new knowledge, the very stuff of progress in a scientific age. Education is an essential ingredient of our increasingly productive economy upon which a high standard of living and national security depend. It is a principal source of an enlightened citizenry qualified to deal with a growing range of personal, domestic, and foreign affairs which constantly increase in difficulty. It is a primary means whereby the ideal of equality of opportunity is given reality in action.
>
> In short, ours is the kind of civilization which requires a lot of education—more in amount and of better quality for a growing number and percentage of our people. Our material well-being, our national security, and the further fulfillment of our democratic ideals require more and better education. Such are the considerations which today underscore the great and mounting importance of education in the United States.

My introduction earlier this year of a revised version of my community college bill reflects my belief that the junior community college can play a significant role in providing "more and better education." My continued attention to the work and function of the junior college has further convinced me of the essentiality of their programs of 2-year terminal education; of their programs of adult education which do much to upgrade adult employment; and of their college transfer courses which allow students to pursue freshman and sophomore college courses with transfer credit value.

As the President's Commission on Higher Education stated:

> Thus free education should be available in public institutions to all youth for the traditional freshman and sophomore years or for the traditional 2-year junior college course.
>
> To achieve this, it will be necessary to develop much more extensively than at present such opportunities as are now provided in local communities by the 2-year junior college, community institute, community college, or institute of arts and sciences. The name used does not matter, though community college seems to describe these schools best; the important thing is that the services they perform be recognized and vastly extended.
>
> Such institutions make post-high school education available to a much larger percentage of young people than otherwise could afford it. Indeed, such community colleges probably will have to carry a large part of the responsibility for expanding opportunities in higher education.

Mr. Speaker, this is a laudable goal and one in which I heartily concur. However, the growing demand for community colleges only serves to emphasize the need for prompt adoption of a program of Federal assistance to the States for the development of these institutions of higher learning. Unaided, the States and local communities are simply not in a financial position to meet the emergency conditions now existing.

I believe my proposal, H.R. 967, would provide the type of assistance needed. Viewed from the standpoint of the Nation's needs, H.R. 967 is a modest approach. The sums authorized are reasonable as is the 5-year duration of the program. Moreover, revisions made in my proposal since it was first introduced insure the greatest possible latitude to the States in establishing their community college programs.

Since introducing H.R. 967, I have again received considerable correspondence favoring enactment. Most of these letters also make mention of the swelling number of students which junior colleges are accommodating and of the need for Federal assistance if the educational thirst of young Americans is to be satisfied. For example, the superintendent of public instruction and director of education of the State of California, Mr. Roy E. Simpson, writes:

> We here in California are deeply concerned about the tremendous pressures we face with the expanding enrollments in post high school education. * * * Actually, this year the junior college enrollments exceeded the projection * * * and we now have over 91,000 full-time students enrolled. It is now our belief that we will have over 220,000 full-time students in the junior colleges by 1970. The increases in enrollments in the State colleges and the university are also serious problems. * * * At the same time we are building junior colleges, we are also having to expand our State college system and also the campuses of the University of California, so we have three-way burden.
>
> Actually, at the present time we have as many full-time students enrolled in junior colleges as we have in the total enrollments in the State colleges and the campuses of the University of California. We believe that the junior college is performing a very significant and unique higher education function in our State; and it is reaching a point where the financial strain of providing facilities for all three is causing deep concern. Your bill, H.R. 967, if enacted into law, would provide every substantial relief to our problem of meeting post high school needs.

Another person concerned with the junior college problem, Dr. Harvey D. Martin, dean, education department of Keokuk Community College, Keokuk, Iowa, writes:

> The community colleges need help in meeting the demands placed upon them by the ever-increasing student body. Our own college, presently bursting at the seams with more than the projected anticipated enrollment for 1958–59, is a good example depicting the needs of the community colleges throughout the United States.

I am not going to read statements from all of the correspondence received since I reintroduced my junior college proposal. However, I would like to call attention to one other letter as I believe it points up the need for Federal assistance despite the impressive efforts now being made by States and local communities. Dean F. C. Kinter, of the Olympic Community College of Bremerton, Wash., writes:

> Those of us who are struggling to provide space for ever-increasing numbers of students are counting on congressional help. Increases this year alone range from 12 percent to 40 percent among the 10 junior colleges in this State.
>
> Local communities in the State of Washington are supporting their community colleges to an impressive degree but need additional funds to construct facilities to keep pace. The need is desperate. The American people want junior colleges. They now realize that the 2-year school is the brightest hope for a satisfactory solution to post high school education.

Mr. Speaker, in conclusion I wish to once again quote from the report of the President's Commission on Higher Education:

> The American people should set as their ultimate goal an educational system in which at no level high school, college, graduate school, or professional school will a qualified individual in any part of the country encounter an insuperable economic barrier to the attainment of the kind of education suited to his aptitudes and interests.
>
> This means that we shall aim at making higher education equally available to all young people, as we now do education in the elementary and high schools, to the extent that their capacity warrants a further social investment in their training.

I am convinced that the enactment of the Public Community Junior College Construction Act of 1959 would materially assist in the implementation of this goal. I urge my colleagues to give this proposal their full and serious attention.

JOHN FOSTER DULLES

Mr. QUIE. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. CANFIELD] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. CANFIELD. Mr. Speaker, like so many of my colleagues, I feel inadequate to capture in a few words my thoughts and emotions on the death of John Foster Dulles. Yet a deep gratefulness impels me to voice a posthumous "thank-you" note to that champion of freedom and peace.

Can any of us today fully appreciate his role in the critical post-war years? Is it possible to overstate how well our late Secretary of State steered our course in international relations? I think not.

Here was a leader in the best sense of the term. Never an equivocator, he made his position clear and firm. In an age of committees and bureaucracies, Mr. Dulles stood alone, an individual supported by a strong religious faith

that never failed him and a remarkably wide-ranging intellect that was capable of understanding and controlling the complex problems our Nation faced.

We are still very close to the life work of Mr. Dulles, and the involvement that is ours in the perspective of immediacy suggests caution in the use of superlatives. I am confident, however, that in the distant future when detached historians judge our time they, too, will come to the same conclusion that people all over the world have come to in the past few days—the conclusion that John Foster Dulles was a very great statesman.

To the members of his family we extend our deepest sympathy and hope that they find solace with the ending of has pain.

I am inserting in the CONGRESSIONAL RECORD at this time portions of editorial tributes that appeared in yesterday's Paterson Evening News and Passaic Herald-News, both of New Jersey:

JOHN FOSTER DULLES

Friend and foe around the world are heaping accolades on the courageous former Secretary of State who yesterday yielded up his life in his last great fight against an unconquerable foe—cancer. Too bad some of those who now see in John Foster Dulles the virtues of a great architect of peace could not have allowed him that type of friendly cooperation when he needed it most in his relentless fight against the common Red enemy.

But such is politics—one must not admit the adversary's virtues. And so, even while he was girdling the earth in a never-ending battle to build insurmountable walls and armies against communism, he was being ridiculed as a commuter and his energetic efforts belittled.

History will record, however, that John Foster Dulles was perhaps the most dedicated man in modern times to the cause of peace. Mr. Dulles had frequently pointed out that early in his career he had set world accord as a goal. He deplored the fact that there was no true agency to create peace and so it had to be brought about by a ceaseless welding of the countries that wanted it. He was a League of Nations, a United Nations, a World Court, all in one.

It was Secretary Dulles, backed without equivocation by President Eisenhower, who had a dedicated belief in his associate's ability and integrity, who kept the Western World solid and united. More likely than not, without one of his indomitable will, his absolute confidence that what he was doing was right, his tireless chase around the world, Communist Russia would long since have broken down Western resistance and the solid phalanx of the anti-Red forces would have been broken.

Sleep in peace, faithful servant, you have earned the reward of eternal rest in the Valhalla of heroes.

And from the Passaic Herald-News:

JOHN FOSTER DULLES

The quality that distinguished Mr. Dulles was his rock-like courage. Mr. Dulles understood that it was more dangerous to give in to Communist pressures than to stand up to threats without budging. A small concession to the Communists is like a small hole in the dike through which an ocean can pour.

The critics of Mr. Dulles called him "inflexible" and attacked his "brinkmanship." However, his policy of no retreat worked. The last example was his refusal to back down before Communist Chinese threats to go to war over the Quemoy and Matsu islands.

The steel in Mr. Dulles came from his faith. He was a deeply religious man. His religion emphasized morality and principle. The Communists realized that Mr. Dulles could not be cajoled or bullied into surrendering principles. They hated him and tried to destroy him with vicious hate campaigns.

For the young people of our country, Mr. Dulles should be an inspiration. He was a brilliant lawyer. He could have devoted himself to his personal affairs. Instead, he chose to serve his country. He was willing to accept criticism and the relatively modest monetary compensation for the privilege.

OUR PLAN TO WELCOME KHRUSHCHEV WHEN AND IF HE COMES OVER HERE

Mr. QUIE. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. BARRY] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. BARRY. Mr. Speaker, under leave to extend my remarks, I would like to bring to the attention of the Congress and of the Nation, the suggestion contained in the editorial of Mr. Oxie Reichler, distinguished editor of the Herald Statesman, of Yonkers, N.Y., that the American people greet Premier Khrushchev with dignity, restraint, and silence, should he visit our shores.

The editorial follows:

[From the Yonkers (N.Y.) Herald Statesman, May 21, 1959]

OUR PLAN TO WELCOME KHRUSHCHEV WHEN AND IF HE COMES OVER HERE

If Nikita Khrushchev, Premier of Soviet Russia, should come to the United States of America—and it begins to look as if he might be coming sooner or later—it is the Herald Statesman's hope that we Americans will exercise restraint in our curiosity and definitely curb our traditional spirit of welcome to visitors.

There are reports that Mr. Khrushchev has been renewing his pressure for an invitation to the United States, to an extent which may make such a bid inevitable. Besides, if a so-called summit meeting is held this summer it may well be in the United States.

It is obvious that we substantially overdid our welcome to Anastas Mikoyan, the Soviet Deputy Premier—to an extent that not only irritated many sober-minded Americans but infuriated many to behold such maudlin sentimentality over one of the masterminds in the butchering of political enemies or innocents, and in vast inhuman acts of cruelty and worse, not to mention the maltreatment and kidnaping and slaughter of our own fellow countrymen.

We suggest that the Herald Statesman plan for a Khrushchev visit be applied nationwide from the moment he steps onto our shores.

Let him have his official and informal greetings from the President, as required by protocol, but let us forego the invariable crowds, the cheering, the fulsome adoration which we like to shower upon a foreign dignitary.

Let him have his ride up Broadway, if that is essential, but with no ticker tape, no glad outcries of welcome. If there are people along the curb, let them try hard to be silent.

Absence from the Soviet Premier's route, from the places where he speaks, and silence on the part of passersby—these can be more potent than the occasional picketing and placarding and the other usual implements of protest.

Let America give Khrushchev the kind of treatment we should have given Mr. Mikoyan. This would demonstrate our national respect for freedoms, which both so often threaten to take away from us as they have from their own people and from the satellites they have seized.

By silence we would be giving "voice"—in the most stentorian manner possible—to our opinion of Khrushchev's betrayal of every agreement at Geneva 4 years ago, his harsh oppression in Hungary, his blackmailing of every member nation of the North Atlantic Treaty Organization (NATO), his runout on the reunion of the two Germanys, his harassment of Berlin, and his incessant threats to destroy the West with hydrogen bombs.

If we love freedom, we can show him—by acting like intelligent and self-respecting human beings—our revulsion against Communist enslavement of peoples and nations, and our opinion of the Communist program of constant threat to destroy the free world and to launch World War III unless we appease its insatiable maw.

If Communists—whether in Soviet Russia or in China or elsewhere—choose to act like brutes and bullies, who must always get their own way without resistance, we must try to make their leaders understand that the time has come for a revival of decency courage and no surrender.

Our silence and indifference can be a valuable weapon in the cold war—far more effective and dignified than hypocritical adulation. Isn't it worth a trial?

CONTINUED FIGHT AGAINST ORGANIZED CRIME NEEDED

Mr. QUIE. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. CRAMER] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. CRAMER. Mr. Speaker, as I have previously advised the House, I have already introduced this session two bills which I think will go a long way in routing out the $20 billion take of organized crime, together with the criminal activities involved in protecting that illicit gold mine, such as extortion, bribery, blackmail, murder, racketeering, narcotics, prostitution, maiming and assault, together with all gangster-type criminal activities. I believe this to be one of the major challenges facing Congress, and apparently this position is substantiated by the recent recommendations forwarded to Congress by William Rogers, the Attorney General of the United States in which he recommended three specific bills to strengthen the hands of the Justice Department in fighting this national gangsterism.

I had previously introduced H.R. 7129, the successor to my bill H.R. 5186, which establishes the crime of terroristic offense where the offenses above enumerated are perpetrated through the use of interstate or foreign commerce or communications, and providing that upon request of local law enforcement officials based upon a finding that interstate commerce was involved, the Attorney General could invoke Federal investigation, prosecution, and other services

at his disposal to combat such interstate crimes which are the tools used by national gangster conspiracies in reaping the $20 billion illicit take from the people of this country.

I also introduced H.R. 3895, which is intended to deny persons engaged in illegal activities, such as gambling and racketeering, certain tax deductions which are allowed to legitimate businesses. These deductions were given some semblance of legality in the decision of Commissioner against Sullivan, 356 U.S. 27, in which the Supreme Court refused to disallow such deductions on the part of gamblers and criminals in the absence of express declaration by Congress. This bill, which I introduced some time ago is broadened and made more comprehensive by the bill proposed by the Attorney General which I also introduced today and it would deny tax deductions to persons engaged in illegal activities such as gambling, and clearly showed the congressional intent that such business expenses cannot be deductible for tax purposes. This, it is interesting to note, is one of the three recommendations also made by the Attorney General when he submitted to Congress his proposals. Concerning that elimination of such tax deductions the Attorney General had the following to say:

Organized crime derives huge profits from certain businesses carried on illegally. It is obvious that a business conducted furtively and unlawfully will yield larger profits than one transacted openly by law-abiding citizens. It is equally clear that the furtive character of such a business increases the expense and difficulty of tax collection. The Government is entitled to be reimbursed for this drain on its resources, and to secure its full share of taxes from these illegal ventures.

One example of this type of business is organized crimes' illegal gambling enterprises—perhaps its principal source of ill-gotten funds. Almost all of the States have laws prohibiting bookmaking, slot machines, and related activities of the organized gambling fraternity. Policing illegal gamblers is peculiarly a State and local responsibility and it would be unwise and impractical for the Federal Government to assume the task of investigating and prosecuting local gamblers and bookies.

There are, however, areas where the Federal Government can properly assist local authorities in the enforcement of their anti-racketeering and gambling laws. This bill, for example, would deny to persons engaged in illegal activity, such as gambling, certain tax deductions allowed to legitimate businesses. This would deal a severe blow to the organized racketeer by hitting him where it hurts most—in his pocketbook. In the recent case of *Commissioner* v. *Sullivan*, 356 U.S. 27, the Supreme Court refused to disallow such deductions in the absence of an express declaration by the Congress. It stated:

"Deductions are a matter of grace and Congress can, of course, disallow them as it chooses."

The enactment of this bill would help substantially to curb this area of organized criminal activity.

The Attorney General further recommended that the 1950 law forbidding the "interstate transportation of any gambling device," which now applies to slot machines, should be broadened to include any other device manufactured specifically for gambling purposes, and also to prohibit the shipment of such gambling devices out of the country. In submitting that proposal the Attorney General had the following to say:

In 1951 Congress passed the Johnson Act (64 Stat. 1134; 15 U.S.C. secs. 1171–1177), which in general forbids the interstate transportation of any gambling device and requires manufacturers of and dealers in gambling devices to register annually with the Attorney General.

Experience with the enforcement of this act has demonstrated a need for its amendment in several respects. One of the enclosed bills will accomplish these changes. It will broaden the definition of gambling device so that not only the slot machine will be covered, but also additional types of machines and mechanical devices designed and manufactured primarily for use in connection with gambling.

The proposal will also enlarge and more clearly define the categories of persons to whom the registration and filing provisions apply. It will require the maintenance of detailed records with respect to the acquisition and disposition of gambling devices, with provision for inspection and copying of such records by the Federal Bureau of Investigation.

Provision is made in the bill for the granting of immunity to persons who assert their constitutional privilege against self-incrimination with regard to the maintenance of the required records or testifying before a grand jury or court of the United States. Thus, our enforcement authorities will be able to compel the disclosure by underlings of information necessary for reaching the upper echelons of the crime syndicates.

Finally, the bill will extend the scope of the act to apply to the transportation of gambling devices in foreign commerce; at present it applies only to the interstate transportation of such devices. The racketeers have offset to a large extent the restrictions on the interstate transportation of gambling devices by developing foreign markets. The outlawing of such shipments should materially assist in the curbing of such activities.

I have today introduced legislation to implement that recommendation which I believe to be sound.

The Attorney General also proposed legislation for granting immunity to persons who claim the 5th amendment in the Federal gambling cases, and thus law enforcement officers could compel underlings to give them information needed to reach the upper echelons of crime syndicates. The legislation would also apply to labor racketeering cases granting immunity to needed witnesses who now claim self-incrimination. In explanation of that request, the Attorney General stated the following:

In labor racketeering cases the experience of the Department of Justice demonstrates an urgent need for legislation to permit the compelling of testimony before grand juries and courts in Hobbs Act and certain Taft-Hartley Act cases.

The Hobbs Act (18 U.S.C. 1951) makes it unlawful to interfere with commerce by robbery or extortion, as defined in the act. Section 302 of the Taft-Hartley Act (20 U.S.C. 186) makes it unlawful for an employer in an industry affecting commerce to pay money or make gifts to representatives of any of his employees under circumstances that would constitute such action a bribe. The close connection between the offenses proscribed in these two acts often inhibit cooperation with law enforcement officers. For example, an employer who is a victim of labor extortion may be reluctant to testify in a Hobbs Act case for fear that he may be incriminating himself under section 302 of the Taft-Hartley Act.

The second enclosed measure will amend that chapter of our criminal laws which is entitled "Racketeering" and in which the Hobbs Act is contained. As amended, the chapter will provide that whenever in the opinion of a U.S. attorney it is necessary to the public interest that a witness testify or produce evidence before a grand jury or court of the United States in a matter involving a violation of the Hobbs Act or section 302 of the Taft-Hartley Act, he may, with the approval of the Attorney General, seek an order of the court instructing the witness to do so. The witness may not then be excused from testifying or producing the evidence on the ground that the act required of him may be self-incriminating, for the measure accords him immunity from prosecution (except for perjury or contempt) with respect to transactions concerning which he is compelled to testify or produce evidence after claiming his privilege against self-incrimination. Legislation such as this is not uncommon; there are many such immunity statutes and they have been of considerable assistance in accomplishing the more effective administration of justice.

I have also introduced legislation to implement the final request of the Attorney General.

Thus, with the bill, H.R. 3895, which I have previously introduced and reintroduced in its broader form denying gamblers tax deductions for so-called business expenses, together with the other two recommendations of the Attorney General which I have introduced today, and my bill, H.R. 7129 making the FBI and the Justice Department assistance available to local law enforcement officials where interstate commerce has been used in perpetrating the type of crime involved in these national syndicated operations, I believe that Congress is presented an antiorganized crime package that will wage effective war against organized crime and racketeering in this country.

I strongly recommend this legislation for serious consideration by the Congress, believing it is essential that this organized racketeering which is costing the taxpayers $20 billion annually, which is an amount second only to national defense expenditures, must be stamped out and Congress must accept its full responsibility in making certain that it is done. Of course, in addition to the $20 billion pried out of the taxpayers' pockets in these illicit operations, these national gangster activities also have the effect of undermining the basic morals of our Nation.

I am happy to see that the Attorney General has made legislative recommendations and that some of those recommendations are consistent with legislation which I have already introduced and I am happy to join in the introduction of the newly proposed additional legislation.

It is high time that Congress do everything within its power to put an end to the killing of citizens in the streets of America, and put an end to the extortion, bribery, blackmail rackets, as well as the

traffic in narcotics and prostitution. This is a very real challenge that must be met immediately and with effective legislation.

LEGISLATION TO PROTECT CITIZENS FROM MOB VIOLENCE

Mr. DULSKI. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. DINGELL] may extend his remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DINGELL. Mr. Speaker, I have previously refrained from speaking out on the disgraceful lynching of Mack Parker in Mississippi because the FBI had entered the case and it appeared that something could be done under the Lindbergh law to apprehend and punish his murderers.

I now read in the papers that the FBI has withdrawn from the case and that information derived by the FBI has been turned over to the Governor of the State for appropriate action. We note that this information will be turned over to the grand jury for action as its next regular meeting which will take place in November.

It appears that in the absence of such Federal statute there is the possibility that the FBI does not receive fullest cooperation from the people in the area and from local authorities in their efforts to apprehend members of the lynching mob. It further appears possible that during the long period prior to the next meeting of the grand jury that evidence may be lost, witnesses will move away, and that possibly even the guilty parties may disappear.

The anti-lynching bill I introduced earlier this year, H.R. 353, would have made possible immediate, vigorous, and forceful action by the Federal Government, as well as the State, for the protection of citizens against lynching, and for apprehension of Mack Parker's slayers.

Under my bill the Department of Justice could have carried this prosecution through to a successful conclusion.

Surely Congress can do no less than to enact effective legislation like H.R. 353 to protect citizens from mob violence.

HON. JAMES G. POLK

Mr. DULSKI. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. KIRWAN] may extend his remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KIRWAN. Mr. Speaker, under leave granted to extend my remarks at this point in the RECORD, I include a sincere and moving tribute to our late colleague, the Honorable James G. Polk. Judge William B. Brown delivered the memoriam in Chillicothe, Ohio, on May 9:

MEMORIAL TO JAMES G. POLK

Let us pause a few moments in these proceedings to pay our individual respects to our mutual friend and Representative who has so recently departed from our midst. Let us contemplate the life and times of this man who for so many years has been first in the hearts of the 6th Congressional District of Ohio. And let us so conduct ourselves in our daily lives and in future years so that we will carry out the ideals which he exemplified in striving to form a more perfect union—to establish justice—to insure domestic tranquillity—to provide for the common defense—to promote the general welfare—and to secure the blessings of liberty to ourselves and our posterity.

Some of us who didn't know James G. Polk wondered why he was such a success—that quiet, unassuming, friendly man; others of us who did business with him became quickly aware that outward appearances are disarming and deceiving; the rest of us who knew him were devoted to him, elected him and reelected him for, as our Representative allotted to us under our system of Government, "he truly labored in the vineyard."

Most do not know of his distinguished ancestry—that of an aristocratic American family beginning with Robert Bruce Polk, who emigrated from Ireland in 1672—no doubt to practice democracy and to get away from autocracy—whose collateral antecedents included the 11th President of the United States, whose given name he bore, a distinguished Confederate bishop and general and whose direct antecedents have been leading farmers, bankers, and businessmen of this district since the State of Ohio began. In fact, there might have been some royal blood in his veins since his lineage included the Bruce family of Scottish and Irish fame. These facts are not well known because James G. Polk stood throughout his life not leaning against his family tree, but firmly on his own two feet. This is true because he was as American as the covered wagon, as democratic as Thomas Jefferson and to use the vernacular of his district, as common as an old shoe and sharp as a buggy whip.

Most do know generally of his active life—how he was born and raised and lived most of his life in Highland County; that he was educated and served his young adult life as a farmer and teacher; and that in 1928 he returned to his first love—the profession of farming; how he realized at that time, as now, that this Nation's farm economy was going through a violent revolution and that direct action was needed to help the farmers of the predominantly rural district in which he lived; that he was elected to the 71st Congress and reelected through the 75th Congress; that during World War II, when he felt his services were more valuable elsewhere, he chose not to stand for reelection, but to serve as a special assistant in the Department of Agriculture, to better aid the war effort; that in 1949 he was returned to Congress whence he has served continuously until last week; that he was never beaten at the polls, come depression, prosperity, war, peace, drought or high water; that his record in Congress was distinguished, among other accomplishments, by his contribution to this Nation's agriculture and by his tireless efforts to be of real service to his constituents, be he farmer, laborer, industrialist, businessman or John Q. Citizen; and, that throughout this long and difficult period of our country's life he was universally known, loved, and respected as just "Jim." In fact, it is being said locally that if he had used his nickname instead of his given name on the ballot, he would even have carried Ross County.

Since the 28th of April from the Halls of Congress, over the communication networks, through the newspapers and in person to person conversations, throughout the district have come expressions of sympathy to the family, admiration for the departed individual, and a sense of personal loss to all that knew him. Commonplace in these expressions are adjectives such as "beloved," "loyal," "trusted," "conscientious," "respected," "sympathetic," "courageous," "inspirational," "firm," "good," "true," "cheerful," "kindly," "humble," "modest," "magnificent," "honorable," "friendly," and many, many more which were uttered by his colleagues in Congress and were recorded for posterity in the CONGRESSIONAL RECORD.

Mrs. BOLTON, of Ohio, a Republican, as only a woman can, expressed her feeling amid the tenseness of the climax of the 86th Congress as follows:

"Mr. Speaker, all of us feel a certain sweetness has gone out of the House with the passing of Jim Polk."

Mr. MCCORMACK, of Massachusetts, a Democrat and majority leader of the House, had this to say:

"He truly possessed nobility of character in about as broad and profound a manner as anyone could have. He was a man of deep faith and he evidenced it in his human ways, in his contact with his fellow man, in showing by action as well as by words his love of God and love of neighbor."

During the last 10 days I have talked to dozens of people of all walks of life, of all types of economic conditions, racial origin, religious and political beliefs about our departed Congressman, and invariably the adjectives I previously mentioned cropped out in the conversations. I am certain that this has been your experience and the experience of all thinking citizens throughout the district. True, some violently disagreed, as good southern Ohioans will, with Jim on this or that issue, but none doubted his ability or his honesty of conviction on any vote he cast. Most, including many Republicans, had some little personal or family experience of writing for a favor, or, for or against something, or, for information on any of a thousand subjects; and then being pleasantly surprised at the promptness and comprehension of the reply; of being further surprised by the way the matter was followed up from time to time; and finally being amazed at the results that were achieved. Many spoke of this attention to detail during the past few months when we heard rumors of his stricken condition and they lauded his devotion to duty under such dire personal circumstances.

I could only point out that this was the essence of James G. Polk; that he believed that the people of the Sixth District elected him to represent them; that despite physical handicaps or other conditions he would devote his entire time to representing them to the best of his ability and within the confines of his capacity and Christian integrity; that during his 20-year tenure in Congress he has always done so at the expense of personal and financial advancement; that he believed deeply that the Founding Fathers had set up the office of Representative in the Constitution for the express purpose of looking after the needs of all the people of the individual districts; and this is why for a generation it has been the consensus in southern Ohio that if an ambitious person really wanted to get elected to Congress, he or she had best move out of the Sixth District as long as Jim Polk was willing to serve.

So many fine things are known about him personally and as our Representative, that to paraphrase Shakespeare, "the good James G. Polk did, will live long after him." One of

his finest legacies, I think, is one Jim wrote himself in the 86th Congressional Directory, where our elected Representatives set forth their earthly accomplishments from the cradle to Congress, some of whose fill several pages. Jim's contains one sentence. I quote: "One of the few Members of Congress whose sole occupation is farming." This information, he was certain, would give the people of this district all they needed to know about his biographical history; the rest they could obtain from his fellow citizens, or from his record, reputation, and character. "By his deeds, they should know him."

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. ROOSEVELT, for Thursday, Friday, and Saturday of this week, on account of official business of the Committee on Education and Labor.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. ULLMAN, for 15 minutes, today, and to revise and extend his remarks.

Mr. BAILEY, for 45 minutes, on Wednesday.

Mrs. ROGERS of Massachusetts, to vacate her special order for today and to address the House for 5 minutes tomorrow.

Mr. CHAMBERLAIN (at the request of Mr. QUIE), for 30 minutes, on Thursday, May 28.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. DEROUNIAN and to include an article.

Mr. MILLS to revise and extend remarks he made in Committee of the Whole today and include therein certain extraneous matter.

Mr. TELLER and to include extraneous matter.

Mr. ALGER (at the request of Mr. QUIE), his remarks in Committee of the Whole and to include extraneous matter.

Mr. ROONEY (at the request of Mr. DULSKI), his remarks in Committee of the Whole and to include extraneous matter, charts, and tables.

(At the request of Mr. QUIE, and to include extraneous matter, the following:)

Mr. LINDSAY.

Mr. BROYHILL.

(At the request of Mr. DULSKI, and to include extraneous matter, the following:)

Mr. PORTER in two instances.

Mr. MULTER.

Mr. HEALEY.

Mr. MCDOWELL.

Mr. MOSS.

Mr. RODINO in two instances.

ADJOURNMENT

Mr. DULSKI. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 34 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, May 27, 1959, at 11 o'clock a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1021. A letter from the Secretary of the Interior, transmitting a report on the Vale project, Oregon, Bully Creek extension, pursuant to the provisions of the Reclamation Project Act of 1939 (53 Stat. 1187) (H. Doc. No. 159); to the Committee on Interior and Insular Affairs and ordered to be printed, with illustrations.

1022. A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, relative to plans for works of improvement for the French Creek watershed, Washington, and the Marshland watershed, Washington, pursuant to the Watershed Protection and Flood Prevention Act, as amended (16 U.S.C. 1005), and Executive Order No. 10654 of January 20, 1956; to the Committee on Agriculture.

1023. A letter from the Comptroller General of the United States, transmitting a report on the review of procurement practices covering the award and administration of advertised contracts by the Military Clothing and Textile Supply Agency (M.C. & T.S.A.), Philadelphia; to the Committee on Government Operations.

1024. A letter from the Attorney General, transmitting a draft of proposed legislation entitled "A bill to amend titles I, II, and III of the Immigration and Nationality Act, and for other purposes"; to the Committee on the Judiciary.

1025. A letter from the Director, Administrative Office, U.S. Courts, transmitting a draft of proposed legislation entitled "A bill to amend section 678 of the Bankruptcy Act (11 U.S.C. 1078) relating to the transmission of petitions, notices, orders, and other papers to the Secretary of the Treasury in chapter XIII proceedings"; to the Committee on the Judiciary.

1026. A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, relative to plans for works of improvement for the Tobesofkee Creek watershed, Georgia, the Big Blue watershed, Illinois, and the Shoal Creek watershed, Illinois, pursuant to the Watershed Protection and Flood Prevention Act, as amended (16 U.S.C. 1005), and Executive Order No. 10654 of January 20, 1956; to the Committee on Public Works.

1027. A letter from the Chairman, Federal Home Loan Bank Board, transmitting a draft of proposed legislation entitled "A bill to amend the Federal Home Loan Bank Act, the Home Owners' Loan Act of 1933, and title IV of the National Housing Act, and for other purposes"; to the Committee on Banking and Currency.

1028. A letter from the Acting Secretary of Labor, transmitting a draft of proposed legislation entitled "A bill to amend the Welfare and Pension Plans Disclosure Act, and for other purposes"; to the Committee on Education and Labor.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the clerk for printing and reference to the proper calendar, as follows:

Mr. TRIMBLE: Committee on Rules. House Resolution 276. Resolution providing for the consideration of H.R. 5140, a bill to further amend the Reorganization Act of 1949, as amended, so that such act will apply to reorganization plans transmitted to the Congress at any time in conformity with the provisions of the act; without amendment (Rept. No. 385). Referred to the House Calendar.

Mr. SHIPLEY: Committee on Post Office and Civil Service. H.R. 6134. A bill to amend the Federal Employees Pay Act of 1945 to eliminate the authority to charge to certain current appropriations or allotments the gross amount of the salary earnings of Federal employees for certain pay periods occurring in part in previous fiscal years; without amendment (Rept. No. 386). Referred to the Committee of the Whole House on the State of the Union.

Mrs. PFOST: Committee on Interior and Insular Affairs. H.R. 5138. A bill to extend the grounds of the Custis-Lee Mansion in Arlington National Cemetery; without amendment (Rept. No. 387). Referred to the Committee of the Whole House on the State of the Union.

Mr. DOYLE: Committee on Armed Services. H.R. 88. A bill to amend section 1552, title 10, United States Code, and section 301 of the Servicemen's Readjustment Act of 1944 to provide that the Board for the Correction of Military or Naval Records and the Boards of Review, Discharges, and Dismissals shall give consideration to satisfactory evidence relating to good character and exemplary conduct in civilian life after discharge or dismissal in determining whether or not to correct certain discharges and dismissals; to authorize the award of an Exemplary Rehabilitation Certificate; and for other purposes; with amendment (Rept. No. 388). Referred to the Committee of the Whole House on the State of the Union.

Mr. DURHAM: Committee on Armed Services. H.R. 5927. A bill to authorize the conveyance to the city of Warner Robins, Ga., of about 29 acres of land comprising a part of Robins Air Force Base; without amendment (Rept. No. 389). Referred to the Committee of the Whole House on the State of the Union.

Mr. DURHAM: Committee on Armed Services. H.R. 697. A bill to authorize the Secretary of the Navy to acquire certain real property in the county of Solano, Calif., to transfer certain real property to the county of Solano, Calif., and for other purposes; with amendment (Rept. No. 390). Referred to the Committee of the Whole House on the State of the Union.

Mr. DURHAM: Committee on Armed Services. H.R. 4656. A bill to amend section 401b of the act of July 14, 1952, to permit applications for moving costs resulting from military public works projects to be filed either 1 year from the date of acquisition or 1 year following the date of vacating of the property; with amendment (Rept. No. 391). Referred to the Committee of the Whole House on the State of the Union.

Mrs. ST. GEORGE: Committee on Armed Services. H.R. 942. A bill to provide for an additional payment of $165,000 to the village of Highland Falls, N.Y., toward the cost of the water filtration plant constructed by such village; with amendment (Rept. No. 392). Referred to the Committee of the Whole House on the State of the Union.

Mrs. ST. GEORGE: Committee on Armed Services. H.R. 3321. A bill to amend title 10, United States Code, with respect to crediting certain service as a member of the Women's Army Auxiliary Corps, and for other

purposes; without amendment (Rept. No. 393). Referred to the Committee of the Whole House on the State of the Union.

Mr. GUBSER: Committee on Armed Services. H.R. 5569. A bill to amend title 10, United States Code, to authorize the award of certain medals within 2 years after a determination by the Secretary concerned that because of loss or inadvertence the recommendation was not processed; with amendment (Rept. No. 394). Referred to the House Calendar.

Mr. VINSON: Committee on Armed Services. House Concurrent Resolution 86. Concurrent resolution to express the gratitude and appreciation of the Congress to the civilian volunteer members of the Ground Observer Corps for their devotion, sacrifice, and spirit of service in fulfilling, in a dedicated manner, the mission of the corps and for the great contribution they made to the security of the United States; without amendment (Rept. No. 395). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ADDONIZIO:

H.R. 7368. A bill to provide for the issuance of a special postage stamp, of the "Freedom Fighter" series, in honor of the memory of Giuseppe Garibaldi; to the Committee on Post Office and Civil Service.

By Mr. ASPINALL:

H.R. 7369. A bill to provide for the extension of certain oil and gas leases; to the Committee on Interior and Insular Affairs.

By Mr. BROCK:

H.R. 7370. A bill to provide for the establishment of a soil and water conservation laboratory in the Great Plains area; to the Committee on Agriculture.

By Mr. BURKE of Kentucky:

H.R. 7371. A bill to provide that the Secretary of the Army shall acquire additional land for the Zachary Taylor National Cemetery; to the Committee on Interior and Insular Affairs.

By Mr. CORBETT:

H.R. 7372. A bill to provide for investment of the civil service retirement and disability fund, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. DEVINE:

H.R. 7373. A bill to amend section 801 of title 38, United States Code, to provide assistance in acquiring specially adapted housing to certain veterans seriously disabled during a period of war; to the Committee on Veterans' Affairs.

By Mr. DEROUNIAN:

H.R. 7374. A bill to amend the District of Columbia Alcoholic Beverage Control Act so as to prohibit the sale of beer by manufacturers to consumers and to prohibit the sale of beer and light wines by wholesalers to consumers; to the Committee on the District of Columbia.

H.R. 7375. A bill to amend the District of Columbia Alcoholic Beverage Control Act; to the Committee on the District of Columbia.

By Mr. DINGELL:

H.R. 7376. A bill to amend section 511(h) of the Merchant Marine Act, 1936, as amended, in order to extend the time for commitment of construction reserve funds; to the Committee on Merchant Marine and Fisheries.

By Mr. EVINS:

H.R. 7377. A bill to provide for the conveyance of certain real property of the United States to the city of Tullahoma, Tenn.; to the Committee on Armed Services.

By Mrs. GRANAHAN:

H.R. 7378. A bill to provide for the establishment of a Commission on Metropolitan Problems; to the Committee on Government Operations.

H.R. 7379. A bill to amend the act of July 27, 1956, with respect to the detention of mail for temporary periods in the public interest, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. IRWIN:

H.R. 7380. A bill to extend to certain former employees of the Bureau of Prisons and Federal Prison Industries, Inc., certain civil service retirement annuity benefits for certain service of a hazardous nature; to the Committee on Post Office and Civil Service.

By Mr. KASTENMEIER:

H.R. 7381. A bill to promote the welfare of the people by authorizing the appropriation of funds to assist the States and Territories in the further development of their programs of general university extension education; to the Committee on Education and Labor.

By Mrs. KEE:

H.R. 7382. A bill to name the Veterans' Administration hospital at Seattle, Wash., the George E. Flood Memorial Veterans' Hospital; to the Committee on Veterans' Affairs.

By Mr. McDOWELL:

H.R. 7383. A bill to provide that the Veterans' Administration shall maintain in each State at least one regional office which shall be authorized and equipped to receive, consider, and adjudicate claims for compensation, pension, vocational rehabilitation, educational or training benefits, and loans, loan guarantees or grants to which any individual may be entitled under any provision of law administered by the Veterans' Administration; to the Committee on Veterans' Affairs.

By Mr. MORRIS of New Mexico:

H.R. 7384. A bill to provide for the extension of certain oil and gas leases; to the Committee on Interior and Insular Affairs.

By Mr. MORRIS of New Mexico (by request):

H.R. 7385. A bill to amend the Civil Service Retirement Act to credit military service for purposes of disability retirement, to authorize disability retirement benefits with respect to disabilities by reason of leukemia arising prior to or during Government employment, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. RILEY:

H.R. 7386. A bill to provide for the acceptance by the United States of a fish hatchery in the State of South Carolina; to the Committee on Merchant Marine and Fisheries.

By Mr. STRATTON:

H.R. 7387. A bill to prohibit the shipment in interstate commerce of certain plastic bags, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 7388. A bill to amend the War Claims Act of 1948 to provide for the payment of benefits under such act to certain citizens and permanent residents of the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. TEAGUE of Texas:

H.R. 7389. A bill to amend chapter 67 of title 10 of the United States Code to provide retired pay under that chapter for certain disabled reservists; to the Committee on Armed Services.

By Mr. ULLMAN:

H.R. 7390. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the western division of the Dalles Federal reclamation project, Oregon, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. ABBITT:

H.R. 7391. A bill to authorize farmers and other producers of agricultural products and/or their associations to own and operate agricultural sales outlets and for other purposes; to the Committee on Agriculture.

By Mr. CRAMER:

H.R. 7392. A bill to amend chapter 95 of title 18, United States Code, to permit the compelling of testimony under certain conditions and the granting of immunity from prosecution in connection therewith; to the Committee on the Judiciary.

H.R. 7393. A bill to amend the act of January 2, 1951, prohibiting the transportation of gambling devices in interstate and foreign commerce; to the Committee on Interstate and Foreign Commerce.

H.R. 7394. A bill to amend the Internal Revenue Code of 1954 to disallow criminal expenditures; to the Committee on Ways and Means.

By Mr. RIVERS of Alaska:

H.R. 7395. A bill to encourage the discovery, development, and production of domestic tin; to the Committee on Interior and Insular Affairs.

By Mr. LANE:

H.J. Res. 401. Joint resolution authorizing the creation of a Federal memorial commission to consider and formulate plans for the construction, in the city of Washington, D.C., of a permanent memorial to the memory of John Foster Dulles, 52d Secretary of State, defender of democratic institutions in a republican form of government and champion of peace with freedom; to the Committee on House Administration.

By Mr. COOK:

H. Con. Res. 187. Concurrent resolution to extend the greetings and felicitations of the Congress to Kent State University on the occasion of the 50th anniversary of its founding; to the Committee on the Judiciary.

By Mr. SAUND:

H. Con. Res. 188. Concurrent resolution expressing the sense of Congress desiring freedom of speech and freedom of press in countries receiving mutual security aid; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By Mr. MORRIS of Oklahoma: Memorial of the House of Representatives of the State of Oklahoma relating to the closing of Indian hospitals in the State of Oklahoma; to the Committee on Interior and Insular Affairs.

By the SPEAKER: Memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States relative to military closures; to the Committee on Armed Services.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BUDGE:

H.R. 7396. A bill for the relief of Debra Susan Duffy; to the Committee on the Judiciary.

By Mr. HOLIFIELD:

H.R. 7397. A bill for the relief of Alfonso Talamantes-Leon; to the Committee on the Judiciary.

H.R. 7398. A bill for the relief of Sun Lok Yen (also known as Pauline Sun); to the Committee on the Judiciary.

By Mr. O'NEILL:

H.R. 7399. A bill for the relief of Elaine Veronica Clarke; to the Committee on the Judiciary.

By Mr. RABAUT:

H.R. 7400. A bill for the relief of Salvatore Cairo; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Statement by Hon. James C. Healey, of New York, on H.R. 2337

EXTENSION OF REMARKS
OF
HON. JAMES C. HEALEY
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 26, 1959

Mr. HEALEY. Mr. Speaker, I am including in the CONGRESSIONAL RECORD my statement to the Committee on the Judiciary, Subcommittee No. 3, in connection with my bill, H. R. 2337:

I want to thank the subcommittee for the opportunity to present my statement in support of my bill, H. R. 2337, which would prohibit certain acts involving the transportation, importation, possession, or use of explosives.

The bill would make it a Federal offense for anyone to possess explosives transported in interstate commerce with the knowledge or intent that such explosives would be used to damage any building used for educational, religious, charitable, or civic purposes. The bill contains a provision, modeled after the Lindbergh Kidnapping Act, which is designed to allow the Federal Bureau of Investigation to intervene as soon as a bombing occurs in any locality. The use of explosives to damage or destroy buildings within the categories mentioned, would create a rebuttable presumption that the explosives had been transported in interstate commerce by the person possessing or using them. Thus, jurisdiction would be provided for Federal intervention upon the happening of the event—to wit, the bombing—without actual proof that the explosives had been carried across State lines. There is, however, a provision that no person could be convicted in the absence of independent evidence that the explosives had actually been illegally transported interstate. This means that the presumption would operate to provide jurisdiction for FBI intervention, but that the presumption alone would be insufficient on which to ground a conviction.

In 1957 and 1958, there were some 70 bombings or attempted bombings of churches, synagogues, schools, and other civic buildings throughout the South and in isolated cases in other parts of the country. With few exceptions, these bombings appeared to be the work of an interstate gang, whose purpose probably was to retaliate against organizations and individuals for, or to intimidate them from, expressing their point of view on the desegregation problem.

At midnight on September 10, 1957, a series of explosives heavily damaged the newly constructed $500,000 Hattie Cotton Grammar School in Nashville, Tenn. One Negro first-grade child had been admitted to the school a few days earlier.

A bomb consisting of 54 sticks of dynamite was placed in a window well of Temple Beth-El in Birmingham, Ala., on April 28, 1958. It failed to explode because of an all-night rain. There was sufficient explosives, however, to demolish the entire structure. On the same day, April 28, 1958, shortly after midnight, a synagogue in Jacksonville, Fla., was bombed. Within an hour, thereafter, a Negro school in that city was damaged by explosives. In all of these cases, an anonymous caller reported that the confederate underground was responsible for the atrocities.

On March 16, 1958, a religious school was bombed at 2:30 a.m., in Miami, Fla., and a Jewish community center was damaged in Nashville, Tenn., at 8:30 p.m. by dynamite. Here again, a purported member of the confederate underground claimed responsibility in an anonymous telephone call. On October 12, 1958, the Temple of Atlanta was seriously damaged by a bomb explosion at 3:30 a.m. Once again, a telephone caller announced that the confederate underground had set off the explosion.

In all the specific cases cited, the local police authorities were convinced that the outrages committed in their cities were symptomatic of an interstate conspiracy directed by a group calling itself the confederate underground or the confederate information center.

Americans are by nature, tradition, and upbringing a lawabiding people. We do not relish subversion of our democratic and sacred institutions. These acts of violence, these dynamitings and explosions have created the exact reverse of the effect that was intended. All respectable citizens and civic groups, in the South as well as in the North, have cried out against these shameful acts of vandalism and terror.

Unfortunately, however, many of the local police officials have neither the ability nor the crime detection facilities necessary to ferret out the perpetrators of these outrages. Furthermore, it is likely that the criminals flee by automobiles across State lines. For these reasons, and because of our experience with the Lindbergh Kidnaping Act, the Mann Act, the Lottery Act, the Anti-Racketeering Act, the National Motor Vehicle Theft Act, and the National Narcotics Act, all of which are Federal criminal statutes involving crimes over which the States have concurrent jurisdiction, it would be completely consistent with States rights and Federal jurisdiction for the National Government to step in and help the local communities to root out this vicious pattern of lawlessness.

My bill, H.R. 2337, would permit the FBI to work in conjunction with local police authorities to curb the interstate conspiracies which have tended to besmirch the good name of the United States all over the world.

I hope this committee will act favorably on my bill.

Page Boy Residences, H.R. 869

EXTENSION OF REMARKS
OF
HON. ABRAHAM J. MULTER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 26, 1959

Mr. MULTER. Mr. Speaker, my statement before the Committee on House Administration in support of my bill, H.R. 869, follows:

Mr. Chairman and members of the committee, I appreciate the opportunity you are affording me to give you my views with reference to my bill, H.R. 869, a bill to provide a residence for the pages of the Senate and the House of Representatives under the supervision of a Capitol Page Residence Board.

This bill, if enacted, would create a Capitol Page Residence Board composed of 3 Senators and 3 Members of the House of Representatives who would be authorized to establish a home for these young men who serve the Congress as pages.

The naming of page boys comes under the patronage system; hence they may come from the 49 States, far and near. The maximum age limit of a page is 18 years and the minimum age is 14 years. The average age is between 15 and 16 years. A boy at this stage has not reached years of discretion. Under the present setup, these boys have living accommodations scattered throughout the city. Some are paying exorbitant rents and, in many cases, are exposed to the evils of a large city without adult supervision.

Boys of 14 or 15 are neither mentally nor physically matured, and, in my opinion, every Member of this Congress is, to some extent, responsible for their well-being. It is not only our duty but we have an obligation to furnish these boys with the parental care and supervision they left behind when coming to Washington.

The page boys must attend school at the Library of Congress before reporting to work each morning. In some cases, these boys travel alone several miles in the early morning hours. We owe it to the families of these young men to enact legislation of this kind.

My proposal would require these boys to pay reasonable rent, just as they do now. The home should, therefore, be self-sustaining. These teenage boys will be the men of tomorrow. Many are dreaming of taking our places in the years ahead.

Our responsibility to them is to provide adequate quarters, with a superintendent in charge, and a complete housekeeping staff, which would be responsible for their supervision with regard to proper food, sleep, recreation, and sufficient application to their schoolwork.

It is my sincere hope that the Congress will enact this bill to prepare them for the great responsibility which lies ahead. "Let's put first things first."

The Modern Fallacy and the Ancient Folklore

EXTENSION OF REMARKS
OF
HON. J. W. FULBRIGHT
OF ARKANSAS
IN THE SENATE OF THE UNITED STATES
Tuesday, May 26, 1959

Mr. FULBRIGHT. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD an editorial by the Wall Street Journal and a reply by the distinguished Senator from Pennsylvania, Senator CLARK.

I think this is one of the best replies to a superficial editorial that I have ever seen, and Senator CLARK's concise and lucid comment should be made available to all Americans. The excerpt was published in the New Republic on April 6, 1959.

There being no objection, the editorial and statement were ordered to be printed in the RECORD, as follows:

THE MODERN FALLACY

For an insight into the modern political philosophy now dominant in Congress, consider some comments made by one of its

more articulate spokesmen, Senator JOSEPH CLARK, of Pennsylvania.

As quoted in the current issue of the Atlantic magazine, Mr. CLARK expresses annoyance that the word "government" is sometimes equated with "other nouns having an evil connotation—such as 'waste,' 'extravagance,' 'socialism,' 'bureaucracy.'" * * * He objects to the "fallacy" that "private spending is inherently good and public spending is inherently bad."

But the real point is the clearly implied one: That Americans should learn to regard growing government and growing government spending as positive and good things; as another of the "moderns" in Congress has expressed it, the danger may be not that we have too much government but too little. * * *

Well, let's see. Some rather marked—and inherent—differences between public and private spending occur at once. Private spending comes from the money individuals are able to accumulate through their own work. Public spending cannot come from anything generated by the Government itself; it comes from what the Government is able to extract from those same individuals either in actual taxes or in the more sinister tax of inflation. * * *

Beyond these elementary differences are others. The vast bulk of public spending is nonproductive; that is true not only of defense but of many other things the Government does. The Government is by and large a consumer of huge hunks of the economy, while private individuals are mostly producer-consumers. The latter combination is what makes the economy grow. Moreover, the bigger the Government becomes the more it competes with the private economy, and in this pressure against the available limit of supplies is a special inflationary force.

And because Government operates without the built-in restraints of the private economy, it is a peculiarly powerful incubator for precisely the evils Senator CLARK thinks should not be associated with Government—waste, extravagance, bureaucracy. The bigger the Government the worse the evils.

Finally, what is the political result of encouraging Government growth and growing Government spending on the theory that, after all, they are not really bad? The end result must be the triumph of the State over the individual. * * *

There is an appalling air of naivete about the expressed views of some of the modern political philosophers. It is impossible that they are unacquainted with the history of man's struggle against the all-encompassing State, which is also the very heart of today's conflict with Communist tyranny. Can it be, then, that they are incapable of relating past and present human experience to their own country?

WALL STREET JOURNAL.

THE ANCIENT FOLKLORE

For an insight into the archaic political philosophy still dominant in Wall Street, consider some comments made by one of its more articulate spokesmen, the editor of the Wall Street Journal.

As quoted in an article in the March 4 issue of the newspaper entitled "The Modern Fallacy," the editor expressed annoyance at those who challenge the assertion that private spending for whatever purpose is necessarily better than public spending for any purpose.

The real point is the clearly implied one: That Americans should complacently regard growing spending for liquor, tobacco, cosmetics, Cadillacs, tranquilizers, yachts, and parties at the Stork Club as positive and good things; as others of the dinosaur descendants on Wall Street have often expressed it, the danger may be not that we have too little public spending for national defense, schools, highways, hospitals, unemployment compensation and flood control, but too much.

Well, let's see. Some rather marked—and inherent—differences between public and private spending occur at once. Private spending may come from the money individuals are able to accumulate through their own work; it may also come, as it does in my case, from selecting ancestors who thought they were developing a sugar plantation but turned out to be squatting on top of a salt dome surrounded by a rich oil pool.

Beyond these elementary differences are others. The vast bulk of public spending is for purposes without which life itself would have little meaning: protection against the threat of destruction by, or in the alternative, slavery under a Communist dictatorship; and such mundane but necessary things as police and fire protection, water and sewer facilities, street construction and repair, the postal service, indeed all of that environment without which the editor of the Wall Street Journal could neither publish nor disseminate his strongly held economic views.

And because our present tax laws are so full of inequitable loopholes, we have today a powerful incubator for what the editor of that newspaper, I am sure, thinks should not be associated with private enterprise—waste, extravagance, plutocracy.

Finally, what is the political result of discouraging all public spending without any consideration of its political, social or economic justification? The end result must be the destruction of Western civilization.

There is an appalling air of naivete about the expressed views of some of the ancient political philosophers. It is impossible that they are unacquainted with the history of man's struggle to conquer nature and subdue the devil within himself—which is also the very heart of today's conflict with atheistic and amoral Communist tyranny. Can it be, then, that they are incapable of relating past and present human experience to their own country?

Senator JOSEPH S. CLARK.

Guff in the Appendix

EXTENSION OF REMARKS
OF
HON. CHARLES O. PORTER
OF OREGON
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 26, 1959

Mr. PORTER. Mr. Speaker in the CONGRESSIONAL RECORD of May 18 my friend and distinguished colleague from Iowa, Mr. WOLF, included an article by William Bohn, editor of the New Leader, who undertook to raise an ironic eyebrow about certain insertions in the CONGRESSIONAL RECORD.

An April 27, 1959, editorial in my hometown paper, the Eugene Register-Guard, went a little further in an editorial entitled "Too Much Guff." Under a previous consent, I am appending the text of this editorial and the text of a letter I wrote in response which was printed May 21, 1959:

[From the Eugene (Oreg.) Register-Guard, Apr. 27, 1959]

TOO MUCH GUFF

This day, which is not so different from other days, there arrived on the desk four excerpts from the CONGRESSIONAL RECORD—two of them quoting, with apparent approval, from these columns.

We're flattered, of course, to be picked up by any of our contemporaries, including the RECORD. But we'd be more flattered if we felt at the same time that we'd be read. However, a flip through the RECORD indicates that all sorts of people and papers are quoted at great length, less for the historical record or for the edification of Congressmen than for the vanity of the folks at home.

What the daily cost of printing the CONGRESSIONAL RECORD is we do not know. But whatever it is, it's too high.

The verbatim account of the proceedings of Congress should be printed, of course. But the extensions of remarks allowed Congressmen, wherein they write into the RECORD all sorts of guff not uttered on the floor, is largely a waste of time. So are the long harangues (including editorials) inserted for the purposes of buttering up constituents.

An opening of the RECORD at a random spot (p. 5907) shows six columns devoted to reprinting a speech made by Senator MIKE MANSFIELD in New York. On the next page his colleague, Senator MURRAY, puts in nine columns of speech delivered someplace by Elmo Roper.

On page 6067 Senator JOHN CARROLL, of Colorado, uses nine columns for the reprinting of a speech by his good friend Senator HUMPHREY, which speech was made elsewhere than in Congress. This polemic is followed by seven columns of small type inserted by Senator HUMPHREY. It is a speech delivered by Representative JOHN BRADEMAS, of Indiana, at the University of Indiana.

The polite word for all this is backscratching.

The RECORD for April 15 happens to run from pages 5877 to 6081. The pages of the daily Appendix, where the most flagrant stuffing occurs, is numbered on that day from page A3059 to A3121.

By our horseback guess, the 268 pages of zephyr, chinook, and typhoon contain 395,200 words. A busy Congressman who wants to read the RECORD thus can read it in a 14-hour day (no time out for coffee or lunch) if he reads at a rate of 500 words a minute.

Somehow, it hardly seems worth it.

MAY 13, 1959.

EDITOR, REGISTER GUARD, *Eugene, Oreg.*

DEAR SIR: Let's talk about guff. Certainly editorial writers and politicians can qualify as experts on guff. You write (April 27, 1959) that there is too much guff in the CONGRESSIONAL RECORD. You say that much appearing there is simply for the vanity of the folks at home, and not for the historical record or for the edification of Congressmen.

You are right.

You say a polite word for a lot of the material is backscratching.

You are right again.

You speak of flagrant stuffing. You figured out that a busy Congressman could read the RECORD for April 15 if he read continuously for 14 hours at the rate of 500 words a minute.

Now, before I defend the guff and backscratching, let's talk about the Eugene Register-Guard, my favorite newspaper. Who reads all of it? Nobody. Who reads most of it? Very few. How much guff and backscratching does it contain? Plenty.

"Extraneous materials" (our parliamentary phrase for what we add to our "remarks" in the RECORD) are not meant to be read by every Member of Congress or by every subscriber to the RECORD, any more than your classified ads or social notes, for example, to more than a fraction of your readers.

Perhaps you will want to argue that the Register-Guard is a business enterprise. It

pays its own way—plus part of the taxes which go to pay for the guff in the CONGRESSIONAL RECORD. My answer to that is that our business here on Capitol Hill is government, which includes not only the promotion of policies to help the general welfare to preserve our freedoms and to defend our country, but to create and maintain confidence by the people in the men and women who make and execute these policies both in and out of government.

Congressional courtesy, or backscratching, may seem sometimes to be overdone but without it we couldn't function as an effective legislative body. As for our concern with the vanity of the folks at home, well, why not? They sent us here. One of the most important jobs of a Member, in my opinion, is to make it clear to his constituents that he is available to help them.

This job has dignity and power. It should have, considering the great responsibilities of the office and the real glory of our system of representative democracy. As the U.S. Representative for some 460,000 people I can do much for economic conditions in the Fourth District of Oregon and the Nation, much for our precious hertiage of individual freedoms, and much for peace in the world.

But if I don't make it clear to the men and women who sent me here that I am their readily available representative (small "r") back here in Washington I can't do any of those jobs as I should. I won't have the information I need. I won't be giving them the confidence they need to fell that the Federal Government is in fact responsive to their opinions and needs.

One of the ways we Members of Congress make this clear is through insertions in the RECORD. If we abuse our rights in this or any other respect, the next election is never very far away. One man's backscratching is another man's encouragement. One man's guff is another man's mead.

Sincerely,

CHARLES O. PORTER,
Member of Congress.

"There Is Utterly No Sense for a Superhighway To Destroy a Historic Building or Slash a Historic Battlefield if It Can Swing Around in Some Acceptable Way," Declares the Wilmington, Del., Morning News

EXTENSION OF REMARKS
OF

HON. HARRIS B. McDOWELL, JR.

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 26, 1959

Mr. McDOWELL. Mr. Speaker, I find myself in complete agreement with the position of the Wilmington (Del.) Morning News which said in a recent editorial that—

> There is utterly no sense for a superhighway to destroy a historic building or slash a historic battlefield if it can swing around in some acceptable fashion.

There is a deepening concern on the part of our civic and cultural leaders over the heedless destruction of many of our country's most famous historical sites and buildings. In some instances great buildings are being razed and replaced by such things as parking lots. This was the fate proposed for the historic Patent Office Building, in Washington, D.C., and the San Francisco Mint. The Morristown, N.J., National Historical Park with its famed Revolutionary War headquarters of Gen. George Washington was threatened with a highway. I have introduced a bill, H.R. 7215, to save our great sites and buildings which, in fact, are often threatened by federally assisted programs.

Delaware is rich in historic sites and buildings, and our museums and art galleries, such as Winterthur, are world famous. Along with other States interested in preservation of cultural monuments, we have found that our concern with history is richly rewarding both to ourselves and to tourists who visit our State and spend money here with our merchants.

My bill will not halt progress, but it does establish a regular means whereby national organizations interested in historic preservation may advise the Federal Government in these matters. No appropriation of Federal funds is provided or contemplated in my bill. It is not a matter of money, but, rather, of better advice so that the vast bureaucracy of Government gives the same weight to historical factors which they presently give to other factors in making their decisions.

Like the national treasures legislation of European countries, my new bill includes the fine arts as worthy of saving. Among the 30 groups listed in my bill are such outstanding organizations as the American Institute of Architects, the National Trust for Historic Preservation, the American Association for State and Local History, the American Federation of Arts, and the General Federation of Women's Clubs.

I include for the information of my colleagues the editorial from the Wilmington (Del.) Morning News, and the text of my new bill, H.R. 7215, to amend the Historic Sites Act of August 21, 1935, to provide a method for preserving sites, areas, buildings, objects, and antiquities of national, regional, or local historical significance which are threatened with destruction by federally financed programs, and for other purposes.

I invite any of my colleagues who are interested in this matter of historic preservation to join with me in introducing this legislation, and I invite comments and suggestions from all interested individuals and organizations which will assist me in perfecting my measure.

It is my hope that hearings will be held on this legislation at an early date.

[From the Wilmington (Del.) Morning News, May 22, 1959]

NOT A MATTER OF MONEY

In these days of special concern with taxes and revenues the title of this piece could have led you into this note on a measure introduced in the House at Washington this week by Representative HARRIS B. McDOWELL, JR., of Delaware. It would set up some commonsense procedures for saving historic sites and buildings apparently in the way of Federal-aid highways and urban renewal programs.

By Mr. McDOWELL's bill the Interior Department could give weight to the advice of outfits such as the American Institute of Architects, the National Trust for Historic Preservation, and the General Federation of Women's Clubs.

There is utterly no sense for a superhighway to destroy a historic building or slash a historic battlefield if it can swing around in some acceptable fashion. Too much good civil engineering has been done in some parts of the Nation, for the roads program, without enough good regional planning that takes our heritage into consideration.

A straight line is the shortest but not always the best line between two interchanges. We compliment Mr. McDOWELL and urge that this bill get prompt, full attention by all Delaware people who value tradition.

H.R. 7215

A bill to amend the Historic Sites Act of August 21, 1935, to provide a method for preserving sites, areas, buildings, objects, and antiquities of national, regional, or local historical significance which are threatened with destruction by federally financed programs, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first section of the Act entitled "An Act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes", approved August 21, 1935 (16 U.S.C. 461), is amended to read as follows:

"That it is hereby declared that it is a national policy to preserve for public use historic sites, areas (including sections of cities), buildings, objects, and antiquities of national, regional, or local significance for the inspiration and benefit of the people of the United States."

SEC. 2. Section 2 of such Act (16 U.S.C. 462) is amended by redesignating paragraph (k) as paragraph (m) and by adding after paragraph (j) the following new paragraphs:

"(k) Carry out (insofar as practicable and appropriate) the same duties and functions with respect to historic areas (including sections of cities) as those which are specified in the preceding paragraphs of this section with respect to historic sites, buildings, and objects.

"(l) Protect and preserve, in the manner provided in section 8 and through the performance of such other functions of the type described in this section as the Secretary may deem appropriate, historic sites, areas (including sections of cities), buildings, and objects of national, regional, or local significance.

"(m) As used in this section the terms 'objects' and 'antiquities' include objects and antiquities of art."

SEC. 3. Such Act is further amended by adding at the end thereof the following new section:

"SEC. 8. (a) Whenever the Secretary receives a petition from any State or political subdivision thereof, or from the American Institute of Architects, the National Trust for Historic Preservation, the Commission of Fine Arts, the National Wildlife Federation, the American Council of Learned Societies, the American Association for State and Local History, the Natural Resources Council, the Wildlife Management Institute, the National Parks Association, the American Institute of Planners, the American Automobile Association, the Society of Architectural Historians, the American Planning and Civic Association, the General Federation of Women's Clubs, the Garden Club of America, the American Society of Landscape Architects, the Urban Land Institute, the American Federation of Arts, the National Academy of Design, the National Council on Arts and Government, the National Art Education

Association, the National Council of the Arts in Education, the College Art Association of America, the Artists Equity Association, the American Association of Museums, the Joint Committee on the National Capital, the National Capital Arts Council, or any other organization recognized by the Secretary for purposes of this section as being concerned with historic preservation, alleging that a Federal project or program or a State or local project or program financed in whole or in part with Federal funds will seriously damage or destroy a historical site, area (including a section of a city), building, or object of national, regional, or local significance, or upon his own motion, the Secretary shall conduct an investigation, which shall include (but not be limited to) holding public hearings or affording the opportunity for such hearings, for the purpose of determining whether or not such site, area, building, or object is of national, regional, or local historical significance.

"(b) Whenever the Secretary determines under subsection (a) that a site, area, building, or object is of national, regional, or local historical significance, he shall forthwith determine whether or not the proposed project or program will seriously damage or destroy it.

"(c) Whenever the Secretary determines under this section that a site, area, building, or object of national, regional, or local historical significance will be seriously damaged or destroyed by a Federal project or program (actual or proposed) or by a State or local project or program which is or will be financed in whole or in part with Federal funds, he shall submit such determination to the head of the Federal department, agency, or instrumentality under the jurisdiction of which the project or program is to be carried out; and after the receipt of such determination the head of such department, agency, or instrumentality shall not commence or further proceed with such project or program, or expend or approve the expenditure of any Federal funds (or further Federal funds) for such project or program, unless and until such project or program has been modified and the plans, specifications, and contracts thereunder amended so as to provide to the satisfaction of the Secretary for the preservation of the historic site, area, building, or object involved. Such modification or amendment may be made notwithstanding any provision of law limiting the right of a department, agency, or instrumentality to modify a project or program or amend plans, specifications, or contracts, but shall otherwise be subject to all the provisions of the law under which the project or program is being or will be carried out.

SEC. 4. The Secretary of the Interior, in consultation with the organizations named in subsection (a) of section 8 (as added by this Act) of the Act of August 21, 1935, and other organizations recognized by the Secretary as being concerned with historic preservation, shall make a continuing study of the tax advantages, technical and financial assistance, and other incentives which could be provided (by legislation and otherwise) to promote and encourage the restoration and preservation of sites, areas, buildings, objects and antiquities (including objects and antiquities of art), in the United States of national, regional, or local historical significance by the Federal Government, and by States, political subdivisions, private organizations, and individuals, giving appropriate consideration to the methods which have been used to encourage such restoration and preservation in other countries and in areas of the United States where intensive programs for historic preservation have been successfully carried out.

To Be Pro-Russia Is To Be Anti-Strauss

EXTENSION OF REMARKS
OF

HON. STEVEN B. DEROUNIAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 26, 1959

Mr. DEROUNIAN. Mr. Speaker, the following article by George Sokolsky, which appeared in the Long Island Daily Press, on May 20, gives an interesting picture of the viewpoint of Acting Secretary of Commerce Lewis Strauss on doing business with Russia:

CYRUS EATON AND LEWIS STRAUSS

(By George E. Sokolsky)

Cyrus Eaton, the capitalist, also opposes the appointment of Adm. Lewis L. Strauss as Secretary of Commerce.

Eaton is the Cleveland capitalist who conducts a nationwide propaganda in favor of doing business with Soviet Russia. So the pro-Russian capitalist, Cyrus Eaton, wrote a letter to a Democratic Senator instructing him to take "with the utmost seriousness" a recommendation that Adm. Lewis Strauss be retired permanently.

Eaton's letter was on the stationery of the Chesapeake & Ohio Railway Co., a public corporation.

To this letter from Eaton, the Democratic Senator from Connecticut, THOMAS J. DODD, replied:

"MR. CYRUS EATON,
The Chesapeake & Ohio Railway Co.,
Terminal Tower, Cleveland, Ohio

"DEAR MR. EATON: I have your letter of March 24, and a copy of an editorial from the Louisville Courier-Journal of March 16, concerning the appointment of Mr. Lewis Strauss as Secretary of Commerce.

"I note that your letter suggests that the editorial of the Louisville Courier-Journal 'must be taken with the utmost seriousness by the Democratic majority in the Senate.'

"I have read the editorial with great interest, but I take it from your letter that you are opposed to the confirmation of Mr. Strauss, and this in itself will be taken with the utmost seriousness by me in favor of Mr. Strauss.

"Very truly yours,

"THOMAS J. DODD."

The Louisville Courier-Journal editorial is most interesting and may even be of some significance. It tells how Strauss is energetic and cannot remain idle very long. Then it goes on to say:

"But Mr. Strauss's appointment has not yet been confirmed in the Senate.

"Each time the subject is mentioned, deep-throated growls come from Senators who can hardly wait to vote against him, and his confirmation is one of the certainties least likely to encourage bets around Washington.

"Under these circumstances the normal man would be inclined to speak softly, walk on tiptoe and engage in no controversy more unsettling than the possibility of rain or shine. Not so Mr. Strauss. * * *"

Why should a member of the President's Cabinet speak softly and walk on tiptoe when there is business of the Government to be done? Must a man cheapen himself before confirmation by the Senate?

But hark. The Louisville Courier-Journal lets a cat out of a bag. This is the story it tells:

"He promptly rejected an application for the export of some 12,000-odd tons of 28- and 30-inch pipe to the Soviet Union.

"He has this right under the Export Control Act, but it is one that former Secretaries have exercised subject to the advice of other departments, principally the State Department."

Is that not the pipeline that Anastas Mikoyan was holding out as a carrot in front of American businessmen?

Was he not telling of the pipeline to be built from beyond the Urals to the heart of Europe, so that Russian-owned oil could dominate Europe? Does Cyrus Eaton want Lewis Strauss permanently retired because he refused to let that deal go through?

The Louisville Courier-Journal, after much discussion of interdepartmental quarreling on this subject, says:

"It is fatiguing to think that this contentious man is already stirring up his own brand of interdepartmental mischief, before he is even officially installed as Commerce Secretary, and that, if confirmation is given his appointment, he can do so for almost 2 years longer."

Oh, dear. Oh, dear.

Let us not get fatigued. Why should we not all live in quiet peace and gentle conformity and let the Russians get away with what they want to get away with, as long as they are not too noisy about it?

Perhaps it were best always to have sweet and easy persons in public office, so that nobody would be fatigued by the contentiousness which establishes truth and brings the facts of deceit, subversion, and even treason to the surface.

The International Claims Settlement Act H.R. 6827

EXTENSION OF REMARKS
OF

HON. JOHN V. LINDSAY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 26, 1959

Mr. LINDSAY. Mr. Speaker, on Thursday, April 30, 1959, I introduced H.R. 6827. This bill would amend the International Claims Settlement Act to eliminate an inequity which has appeared in the operation of the International Claims Settlement program in regard to claims respecting property in Bulgaria, Hungary, or Rumania.

It appears that operation of the present law may provide substantial windfalls to certain claimants, while at the same time providing virtually no compensation to others. A number of large business enterprises which suffered losses recompensible under the act deducted those losses during war years, when their effective tax bracket may have been, because of excess profits taxes, higher than 90 percent. Thus, the effective loss suffered in several cases was only a small fraction of the value of property destroyed or seized.

To permit those companies now to submit claims for the full value of the property destroyed or seized would enable some to make a profit—an opportunity not available to individuals whose loss during war years could not be offset against wartime profits.

For instance, if a corporation suffered a loss in 1942 of $100,000 and deducted it against profits which were taxed at the

rate of 90 percent, the actual loss of the corporation was $10,000. If it were now to claim a loss of $100,000. Under the International Claims Settlement Act, and if the Commission ultimately paid 50 cents on the dollar on all claims, the corporation would receive $50,000 in compensation for its claim. Thus, the corporation would make a profit of $40,000 on the transaction, before taxes.

My bill would reduce any claim submitted to the Commission by the amount of the tax benefit obtained from a deduction of the underlying loss. The practical effect of this would be to make available for distribution on other claims—and thus to the aggrieved noncommercial individual claimants—a greater sum.

And since payment of these claims may be taxable to the claimant, the bill would also provide an exemption from income tax to the recipient on all claims which had been thus reduced, in order to prevent a double burden.

Mr. Speaker, I realize that the point is a somewhat refined one. There is no doubt, however, that a serious injustice will be done to a number of individuals unless prompt action is taken by the Congress to remedy the situation. Since this part of the work of the Commission must terminate by law during August of 1959, it is most important that this measure be promptly considered, and, I hope, promptly passed. A similar bill was introduced in the 85th Congress by Senator HUMPHREY. That bill, S. 979, passed the other body, but failed to receive committee consideration here before the session ended.

A Tribute to Carl Holderman

EXTENSION OF REMARKS
OF
HON. PETER W. RODINO, JR.
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 26, 1959

Mr. RODINO. Mr. Speaker, a poet once describing man's way from life to death had this to say of it: "I shall not pass this way again." And so it has been from the beginning of time and man.

And, on Wednesday last a good friend, a great public servant and one who loved his fellow man, passed this way for the last time. And his passing has filled the hearts of many with sorrow.

Those who knew him most intimately, who had worked with him in the labor that was his love, the officers and executive board of the New Jersey State CIO Council, recorded their deep sorrow over "the passing of our brother and former president, Carl Holderman." In this manner Carl Holderman devoted his entire life to the service of all who must toil. Every workingman and woman, both from within and without the ranks of organized labor, has had his life enriched by the noble contributions made by this great leader of the New Jersey trade union movement. His achievements will forever constitute a monument to the goodness and greatness of this outstanding fighter for social, economic, and political justice.

The above is an eloquent and fitting tribute to any man. And by none could it have been more richly deserved than Carl Holderman.

It had been my privilege and pleasure during the past 14 years to have known Carl Holderman as a friend. Many times I was the beneficiary of his good counsel, unselfish assistance, and generous and kindly guidance. All of this was aimed in the direction of the general common good.

Mr. Holderman was appointed commissioner of labor and industry by Gov. Robert B. Meyner, in 1954. In assuming the post, he resigned as president of the New Jersey Council of the Congress of Industrial Organizations, a position he had held since 1945.

He had been identified with trade unionism in the State since 1919, when he was elected to a minor office in a local union. He believed strongly in labor's role in politics as a means of eradicating corrupt influence from governmental offices.

As an organizer for the CIO Political Action Committee, Carl Holderman often appeared before the State legislature to express his views on pending bills.

He left public school at 13 to work for the Erie Railroad as a messenger. After 2 years he was made a shop worker. Four years later he took a job in a textile mill.

Mr. Holderman worked in mills in Hornell and in Paterson and Union City, N.J., for 14 years and was a member of the American Federation of Labor's hosiery workers' union. In 1926 he became manager of the union's New York-New Jersey district and 2 years later became an international vice president.

In 1928, Mr. Holderman was named to the executive board of the New Jersey Federation of Labor. Three years later, he became business manager of a cooperative labor publishing house in Philadelphia.

He returned to the AFL in 1933 as an organizer of hosiery workers in Pennsylvania. Four years later Mr. Holderman was elected president of Labor's Non-Partisan League of New Jersey, an organization he helped to found in 1936.

In 1937 he was regional director of the CIO Textile Workers Organizing Committee, which set out to unionize 1,250,000 employees in the industry under the guidance of John L. Lewis. In the same year, Mr. Holderman, worked toward the organization of a labor party in New Jersey among CIO and AFL unions.

In World War II he served on the War Labor Board and the Newark Labor Relations Board and Defense Council.

Holderman was above all else a man of character and integrity, and idealist and dedicated servant of the rank and file worker in his State and in the Nation. He was a foe of corruption and shady dealings in the trade union movement and in political life. He was a sophisticated and able operator in the fields of both politics and labor, but he never compromised with what he believed to be the ethical and wise position for a labor union or a political party.

Carl had great breadth of outlook; his interests and sympathies were wide and deep. Though his first and primary loyalties were to the working people of his State and to the administration of the legislation governing industrial relations and the social welfare of our society, he gave much thought to international questions and worked with various groups who feel that it is to the vital interest of the people of this country to seek ways and means of insuring the growth of democracy and free institutions everywhere.

Carl Holderman was a wonderful human being; warm, companionable and wise. His influence, his sagacity and his leadership will be greatly missed in New Jersey and throughout this country.

Carl Holderman shall not pass this way again—but I am sure that none will ever forget the good things he did while passing along the way.

Under leave to extend my remarks I wish to include the following editorial which appeared in the Newark Evening News of May 21:

CARL HOLDERMAN

The fiber required for survival as a labor organizer in the brickbat era of the 1920's carried Carl Holderman on to the presidency of the New Jersey CIO and then into the office of commissioner of labor and industry. When some protested the cabinet appointment on the ground he would favor labor over industry, he was the first to agree.

As the Governor's emissary to labor he handled the political requirements of that post capably, and a large share of his energy was directed to making his department serve working people of the State in the field of industrial safety and the like.

In Mr. Holderman's death, the Governor has lost an able cabinet officer, and New Jersey labor has lost a friend.

Legislation Needed To Aid Depressed Areas

EXTENSION OF REMARKS
OF
HON. LUDWIG TELLER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 26, 1959

Mr. TELLER. Mr. Speaker, we have all been greatly heartened during the past few months by the Nation's economic recovery and decline in unemployment.

Nevertheless, despite the general economic recovery, we must not lose sight of some basic problems that face the American economy at this stage. Unemployment still remains a major problem.

It has, therefore, been a source of great disappointment to me that the Ways and Means Committee has rejected proposed legislation to strengthen and improve our unemployment insurance system. We need Federal standards for unemployment insurance re-

gardless of the immediate economic conditions that prevail in the country. It is exactly during this time of general economic recovery that we should focus our sights ahead and plan to reduce the tragic impact of any future declines in total economic activity, and provide for persons willing and able to work who lose their jobs due to no fault of their own. I believe that present levels and duration of benefits are inadequate in most States.

Another basic problem about unemployment is the fact that it tends to be concentrated in a number of areas throughout the Nation. Even during the period of general prosperity which the Nation has enjoyed since World War II, areas with high levels of unemployment have persisted during good times and recessions. It is my firm conviction that we must provide Federal aid to help pull these communities out of their economic doldrums and to help broaden their economic base so that the people in these communities can participate in making their contribution to the general economic growth of the country.

The needs of the Nation and a humanitarian philosophy dictate that every American should have the opportunity to engage in gainful employment, to support himself and his family. The fact is that in depressed areas where chronic unemployment and underemployment prevail, such an opportunity is denied to thousands of families in many States throughout the Union.

It would, therefore, be a grave mistake for us to turn our backs now on the problems of these areas because of the general economic recovery. Experience has shown that a general rise in income and employment is not going to solve the problems of chronically depressed areas.

To help these communities we must inaugurate a program which would help the people in the depressed areas to help themselves. Obviously I do not believe that the Federal Government either can or should solve the problems of local communities, but I am firmly convinced that the Federal Government can help them.

To do this job, we must provide a variety of programs to suit the individual needs of the various communities. Appropriate legislation to accomplish this much-needed end has been before Congress for a number of years. Congress passed area redevelopment legislation toward the end of the 85th Congress, which I was happy to support. It was disappointing to me that the President saw fit to veto the area redevelopment bill in 1958.

This year the Senate was quick to seize the initiative to reenact similar legislation to that vetoed last year. I believe that the bill (S. 722) approved by the Senate should be enacted into law without further delay. We should no longer tolerate postponing a job which America needs, and needs immediately.

The bill passed by the Senate is the product of long and thoughtful hearings and debate which has been going on continuously since the 84th Congress. It offers a variety of provisions designed to help the diverse needs of people residing in economically depressed areas.

S. 722 provides for technical assistance to plan the redevelopment of the community, loans to business locating or expanding in these communities, the development of needed public facilities, training and retraining of the labor force in depressed areas, and urban renewal.

Let me briefly summarize each of these provisions. The first step in area redevelopment is the inventory of human and physical resources of the communities. This type of a survey should help the people in the community to appraise their economic potential and to plan the type of industry which can best flourish in the community. We need a central office which can become a reservoir for the various techniques developed to aid area redevelopment and to help individual areas to appraise their economic status. The Federal Government has been doing this type of work for many years. There is now an Office of Area Development in the Department of Commerce which does exactly that. The Bureau of Employment Security in the Department of Labor has conducted a number of surveys of the available manpower pool and skills available in several localities. But the resources of these agencies are entirely too inadequate to perform the needed job. The proposed legislation would, therefore, provide $4.5 million annually to expand technical facilities to help depressed areas to develop a positive program of action for self-development.

Once a community is ready to embark on a program of economic expansion, it is frequently found that chronically depressed communities do not have sufficient resources and facilities to attract new industry. The program, therefore, provides for the establishment of a revolving fund from which the depressed communities could borrow money at a reasonable rate of interest to improve their public facilities. Only in the case of the poorest communities whose economic base is insufficient or has deteriorated to the extent to which the community does not have a sufficient tax base to pay for the interest on loans does the program provide grants.

The third step in community redevelopment is to attract new industry. It is a well-known fact that capital in the declining communities is not as venturesome as that in expanding and growing communities. Consequently, the question of credit becomes more acute in these areas. The proposed legislation would, therefore, establish a revolving fund from which businesses locating or expanding in these communities would be able to obtain loans. The bill provides for two separate revolving funds: one for industrial communities and the other for rural areas where income is commonly low and where underemployment prevails.

A fourth aspect of the proposed program deals with the training of the human resources in the community. In rural areas there is frequently a lack of sufficiently trained personnel available for new plants. In industrially depressed areas the skills of many people have become obsolete because the demand for the products in which they have been engaged has lessened or disappeared because of changes in consumer habits or new technological developments, or because of depletion of resources or change of industrial location.

The program would, therefore, provide for the establishment of training facilities in these areas to equip the labor force to accept new jobs. In many cases it would be unreasonable to expect people who have been exposed to long periods of unemployment to be able to undergo an effective training program without any means of subsistence. The program provides that persons undergoing training for new jobs would receive subsistence payments during the period of training, but not for a period exceeding 13 weeks. It has been realized that this type of program may be very costly. But the proposed program would limit the subsistence payments to $10 million a year. This would allow the administrator of the program to evaluate the need and effectiveness of subsistence payments, but at the same time restrict the budgetary outlays to a bare minimum.

Finally the program would extend the present urban renewal program to blighted commercial areas. At present, urban renewal activity is primarily limited to residential slum areas.

In outlining the program, I failed to mention the sums allocated for the revolving funds in connection with the community facilities and the amount to be expended for grants and loans. The bill as approved by the Senate calls for three revolving funds of $100 million each for loans in industrial areas, loans in rural areas and for public facilities. A $75 million fund was provided for grants. This, it should be noted, was the total extent of the fund and not an annual amount.

Unfortunately, as an over-simplification, the $300 million allocated for revolving funds, the $75 million grants, the $10 million subsistence payments and the $4.5 million for technical assistance have been added up and totaled, giving the impression that the bill provides for an annual expenditure of $379.5 million.

This, of course, is a misrepresentation. The $300 million revolving funds are not really an expenditure or a burden upon the taxpayer. The best experience with this type of loan by the RFC, Small Business Administration and others has shown that these loans are repaid in full. Moreover, the interest that borrowers will have to pay on these loans will be in excess of the interest paid for by the Federal Government. Hence, the loans would not constitute any burden upon the taxpayer.

But the revolving funds for the loans would have to appear as an additional budgetary outlay, and because of the overzealousness to balance the budget from a bookkeeping point of view, proponents of the legislation have feared a repetition of last year's unfortunate veto of similar legislation. The majority of the House Banking and Currency Committee has, therefore, cut down the amount of the proposed loans by one-third. As the bill now provides, there

will be two revolving funds—one for $75 million for loans, and $50 million revolving fund for public facilities. In addition, the funds allocated for grants are reduced to $35 million.

I am happy to note, however, that none of the programs proposed by the Senate has been eliminated.

I commend the distinguished Members of the House Banking and Currency Committee for the diligent work that they have done on this bill and the spirit of compromise which they have displayed in order to secure administration appproval of the proposed legislation.

I urge that we enact S. 722 as amended by the House Banking and Currency Committee without further delay.

The country needs this legislation. We must help stamp out the blight of depressed areas from our midst. At this time when we all rejoice in the Nation's economic recovery, we must plan ahead to prevent the reoccurrence of recessions and economic decline. Aid to depressed areas is a most effective tool to prevent, or at least reduce the impact of further recessions. The program should also help millions of Americans in the depressed areas to enjoy a greater measure of prosperity and to partake in our improving standard of living.

A substantial measure of highly valuable research work has been done by an organization known as the Area Employment Expansion Committee to support and point up the need for a Federal area redevelopment program. One of the fact sheets recently issued by the Area Employment Expansion Committee has to do with a situation in the State of New York. The text of this New York fact sheet study, supported by detailed tables which I have omitted in the interest of brevity, is as follows:

AREA REDEVELOPMENT FACT SHEET NO. 61—NEW YORK STATE

The Empire State is among those which would benefit from the proposed area redevelopment legislation. While the total number of areas immediately affected constitutes a somewhat smaller proportion of the total of the State than is prevalent in other States where there are more chronically distressed areas, yet the problems are none the less serious in this State.

In January 1959, there were one major labor market, Utica-Rome, and 11 smaller areas which would become eligible immediately for benefits under the area redevelopment bill. Their total civilian labor force was over one-half million people, which probably represented some 6 percent of the State's working population. The average rate of unemployment in these areas was 11.9 percent. It would take 29,865 new jobs to eliminate the unemployment in excess of 6 percent in these areas.

In addition, there were six major labor markets, four smaller labor markets and three very small labor markets in which there was a substantial labor surplus. Continued high unemployment in these areas would graduate them into the chronically distressed state. It is probable that some of these areas will reach this condition.

There are 23 counties for which no labor market data are currently available.

DISTRESSED AREAS

A. Major labor market

Utica-Rome: This large labor market in central New York State, including both Oneida and Herkimer counties, suffered seriously from the postwar contraction of the textile industry. It has struggled desperately to replace some of the textile jobs with new durable goods plants, but these have also been hard hit by unemployment. While these plants have opened up new jobs for the younger people, they have not provided job opportunities for the older population. As a result the rate of unemployment in the labor market in January 1959 was 11.8 percent.

The unemployment rate reached a high of 11.3 percent in January 1955, but had declined in the subsequent years reaching a low in the fall of 1956. In 1958 this labor market again suffered reverses so that the average unemployment rate for 1958 was 10.4 percent. The community needs considerable assistance to revamp its basic economic structure.

B. Smaller labor markets

Eleven smaller labor markets have had a high rate of unemployment for long enough periods to become eligible for benefits under the area redevelopment bill.

The following are the periods during which these smaller labor market areas have been certified as having had substantial labor surpluses:

Periods of substantial labor surpluses:

Amsterdam: June 1954 through September 1956, March 1958 to date.

Auburn: January 1955 through July 1955, April 1958 to date.

Batavia: March 1958 to date.

Elmira: April 1958 to date.

Glens Falls-Hudson Falls: June 1958 to date.

Gloversville: November 1952 through September 1955, April 1958 to date.

Kingston: September 1958 to date.

Newburgh-Middletown-Beacon: July 1958 to date.

Oneida: June 1958 to date.

Plattsburgh: March 1959 to date.

Watertown: April 1958 to date.

Amsterdam: This textile community has suffered repeated setbacks from the closing of large textile mills. The shift of mills from this area to other States and the contraction of operations are the basic causes for its difficulties. The community has made desperate efforts to attract new plants. It has sponsored local industrial advances though individual improvements have been made.

The labor market includes Montgomery county. It has had annual average rates of unemployment of 9.4 percent in 1955; 9.8 percent in 1956; 8.9 percent in 1957 and 14.1 percent in 1958. In January 1959, the unemployment rate was 13.5 percent.

Auburn: Including as this labor market does Cayuga County, it has been a center of industrial activity except that it has suffered from plant closings and the contraction of some of its basic industries. Among the most significant closings was that of the International Harvester Co. Recently an electrical machinery company moved out of the area. Difficulties are being faced by other textile plants in the area. The annual average rate of unemployment in 1955 was 9.1 percent; in 1956, 7.1 percent; in 1957, 8.4 percent and in 1958, 14.3 percent. Relief from continued high unemployment is not in sight.

Batavia: This labor market includes Genesee County. Its annual average rate of unemployment in 1957 was 8.8 percent and in 1958, 9.4 percent. While it was only recently certified as having substantial labor surpluses, it faces serious problems. Layoffs have occurred in its machinery and primary metal industries and many of its local residents must depend upon jobs in nearby areas for continued employment since the area does not itself support the population.

Elmira: This labor market includes Chemung County. Unemployment began to assume serious proportions in December 1957 and has continued at high levels through 1958 and in 1959. In February 1959 the rate was 11.1 percent. The community has suffered from widespread layoffs in machinery and the electrical equipment plants.

Glens Falls-Hudson Falls: This labor market includes both the counties of Warren and Washington. Unemployment was most marked in 1958 with reductions in the electrical equipment, paper, and textile industries. In 1958 the average rate of unemployment was 9.7 percent.

Gloversville: This is one of the truly chronically distressed labor markets. It encompasses Fulton County. It suffers from the decline of the dress, glove and the woolen knit glove industry. These have been adversely affected by imports. This area has been suffering from continuing high unemployment for a number of years. In 1955, the average rate of unemployment was 13.0 percent; in 1956, 9.3 percent; in 1957, 14.1 percent and in 1958, 19.5 percent. In 1959, the rate was 17.9 percent in February. This is an area needing immediate and continuing attention.

Kingston: This labor market of Ulster County has suffered from the closing of a large machinery manufacturing plant, as well as losses in the aircraft, paper, and chemical industries. Only the seasonal pickups in the summer resort trade help offset these setbacks. The average rate of unemployment in 1958 was 8.1 percent and in January 1959, 10.4 percent.

Newburgh-Middletown-Beacon: This labor market includes Orange and Putnam Counties as well as the city of Beacon and the town of Fishkill in Dutchess County. There have been widespread layoffs in the apparel, textiles, leather goods, metals and machinery industries. Many residents working in outside areas have also been adversely affected. The average rate of unemployment in 1958 was 9.7 percent. Much hope has been placed in the economic effects of the New York Thruway but these have not yet lived up to expectations.

Oneida: The Madison County labor market has also recently been added to the list of the distressed areas. There have been heavy cutbacks in the silverware industry. This is a community which needs long term improvements. Residents have been working in outside areas and commuting and the cutbacks in these outside areas have adversely affected local people. The unemployment rate has been particularly high in 1958, with an annual average rate of 13.1 percent. Long term redevelopment is essential.

Plattsburg: This labor market includes Clinton County and has suffered from the long term drop in construction and losses in mining industries. The average rate of unemployment in 1958 was 12.9 percent and unemployment continued at a high rate of 15 percent in February 1959.

Watertown: The Watertown labor market includes Jefferson County. The difficulties of this community are attributable to the decline in employment in the machinery and paper industries. The high unemployment rates were first noticeable in March 1957 and continued through all of 1958. The average rate of unemployment for 1958 was 11.6 percent.

AREAS OF SUBSTANTIAL LABOR SURPLUS

In addition to the preceding distressed areas there are a number of labor markets with substantial labor surpluses. This condition has not been of sufficient duration to qualify them for the benefits of the act.

These areas will become eligible as of the following dates:

Corning-Hornell, June 1959.
Olean-Salamanca, June 1959.
Albany-Schenectady-Troy, July 1959.
Buffalo, July 1959.
New York, July 1959.
Syracuse, July 1959.
Jamestown-Dunkirk, July 1959.
Orleans, September 1959.
Binghamton, October 1959.
Catskill, December 1959.
Waterford-Mechanicsville-Stillwater, January 1960.
Wellsville, January 1960.
Rochester, July 1960.

Executive Censorship

EXTENSION OF REMARKS
OF

HON. JOHN E. MOSS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 26, 1959

Mr. MOSS. Mr. Speaker, studies conducted by the Special Subcommittee on Government Information, at the direction of Hon. WILLIAM L. DAWSON, of Illinois, chairman of the House Committee on Government Operations, show that only by constant vigilance can the Congress prevent unjustified restrictions which executive agencies seek to impose upon the availability of information to the Congress and the public. The subcommittee recently received from Senator HUBERT H. HUMPHREY, of Minnesota, an account of some of the censorship obstacles encountered by the Senate Subcommittee on Disarmament, of which the Senator is chairman. His statement illustrates the necessity for congressional committees to be ever alert for attempts by executive agencies to misuse secrecy labels which are intended solely for the protection of genuine security matters, not for hiding information which may cause controversy or be against policy.

The statement follows:

EXPERIENCE OF THE SENATE SUBCOMMITTEE ON DISARMAMENT ON THE DECLASSIFICATION OF GOVERNMENT DOCUMENTS AND TESTIMONY

(Statement of Senator HUBERT H. HUMPHREY, chairman, to the Special House Subcommittee on Government Information)

Achieving a balance between informing the public and preventing the dissemination of information which would be injurious to the Nation's security is one of the great problems that confronts our Government at the present time. In this effort both the executive and legislative branches have a responsibility.

The Congress has been wise to establish special committees to study this problem and to take or recommend action when agencies of the executive branch appear to be restricting unduly the availability of information to the public. In addition to these special committees the other committees of the Congress must also be alert constantly to guard against the deliberate or inadvertent suppression of important data when national security is not involved.

The purpose of this testimony is to share with the Special Government Information Subcommittee of the House Committee on Government Operations the experience of the Senate Foreign Relations Subcommittee on Disarmament with the declassification of information by the executive branch. I am presenting this statement in response to a request from the distinguished chairman of the subcommittee, JOHN E. MOSS.

It is not my intention to suggest that the specific cases I cite be investigated further. Rather, it is to show that information is withheld for reasons that cannot be justified in the name of national security and to stress the need for vigilance on this matter by all congressional committees.

Over the past year the Subcommittee on Disarmament held a number of hearings, many of them in executive session. In all cases the executive session was held because the witness requested it. Usually, after such a session the transcript of the hearing was submitted to the executive agency or agencies involved for review. The executive agency then marked those parts of the testimony that, in its opinion, should remain classified. In order to determine whether this classification was justified, the subcommittee and its staff reviewed carefully the testimony after it was returned by the executive officials. When the reason for the classification was not self-evident, the executive officials were questioned about it. Frequently a reason other than security was given for restricting the information. When these erroneous reasons were pointed out the executive officials often lifted the classification label.

The experience of the Subcommittee on Disarmament suggests that in a great many cases the executive branch censors testimony for insufficient reason. In order to correct this practice the committees of the Congress and their staffs ought to review carefully all testimony which executive departments ask to have classified. The review should seek to determine the reasons for continued classification and whether they are valid. Such a procedure would redound to the benefit of the electorate by providing our citizens with an opportunity to become better informed. Members of Congress would also be in a much better position to perform their constitutional responsibilities.

The cases which follow illustrate the various points I wish to bring out:

1. The Central Intelligence Agency, in reviewing testimony given by a noted scientist, had classified a passage of testimony. When questioned as to why, the CIA official indicated he did not agree with the conclusion of the scientist and incorrect information should not be given out. When challenged further on the point, the CIA representative agreed to let the scientist's conclusion stand.[1]

2. The Atomic Energy Commission at first classified portions of testimony given by one of its chiefs of divisions that there was no evidence the Soviet Union was developing, testing, or producing so-called clean nuclear weapons; that is, weapons with reduced radioactive fallout. The Commission was asked whether it was not in the interest of the United States to have this information brought out. The Commission reviewed the matter and decided that the information was of interest and agreed to leave in that portion of the testimony.[2]

3. The Department of State had struck out of testimony questions by the chairman and answers by a witness regarding a study being made by the Government on U.S. oversea bases. When it was pointed out by the subcommittee that this information was contained in a news conference of the Secretary of State, the Department officials then said the testimony had been deleted because it seemed irrelevant. It was suggested that it was not the function of the Department in reviewing testimony for publication to rule on the relevancy of the discussion, particularly questions the chairman considered sufficiently relevant to raise in the first place. The Department then agreed to leave in the discussion on the oversea base problem.[3]

4. The Department of the Army and the Department of Defense classified testimony relating to the results of Operation Sagebrush, simulated war maneuvers of the Armed Forces using tactical nuclear weapons. The Army refused to remove the classification even after it was pointed out that at the time of the maneuvers, in October 1955, a reporter wrote extensive stories about them and that these news accounts could only have been written as a result of considerable background briefing on the part of military officers. Part of the reason why the Army wished to continue to classify the information, according to one officer, was that the results indicated the Army didn't know quite what it was doing in the maneuvers. Even if this were true, said the officer, the information should not be released.[4]

5. The Department of the Army requested the elimination from the record to be published several portions of testimony submitted by Army Chief of Staff, Gen. Maxwell Taylor. When challenged on the classification, over 90 percent of what had been taken out was restored. Among the passages finally declassified were those containing general discussions of new nuclear weapons development and the tactical uses of these weapons. They also put back statements the general had made on the necessity of improving our nonatomic or conventional weapons capabilities if a nuclear weapons test ban should go into effect, general information on the fabrication of nuclear weapons, expressions of opinion regarding the reliability of agreements with the U.S.S.R., views on the psychological impact of a nuclear test suspension on people around the world, and the effects of nuclear fallout.[5]

6. The Government continues to classify significant information dealing with seismology, the study of earthquakes and movements in the interior of the earth. This includes testimony given before the Disarmament Subcommittee and documents submitted to the subcommittee by executive agencies. The subcommittee has never received a satisfactory explanation as to why such studies should be kept secret.[6]

The reason that such studies should be made available is that advances in the science of seismology are needed and necessary to improve our knowledge about the detection and identification of underground nuclear explosions. It is to the interest of the United States to speed up our work in

[1] Hearings of the Subcommittee on Disarmament, "Control and Reduction of Armaments," pt. 17, testimony of Dr. Hans Bethe, p. 1539, discussion of the number of earthquakes occurring each year in the U.S.S.R. and China equal to a given yield of nuclear explosive.

[2] Hearings of the Subcommittee on Disarmament, "Control and Reduction of Armaments," pt. 16, testimony of Brig. Gen. Alfred D. Starbird, p. 1394.

[3] Hearings of the Subcommittee on Disarmament, "Disarmament and Foreign Policy," pt. I, testimony of William C. Foster, pp. 73–74.

[4] Hearings of the Subcommittee on Disarmament, "Disarmament and Foreign Policy," pt. I, testimony of Gen. Maxwell D. Taylor, p. 140.

[5] Ibid., pp. 116, 117, 118, 119, 133, and 136.

[6] Since preparing this statement I am pleased to report that some of this information has been released. Some material contained in the Berkner Report on Seismic Improvement was released on June 12. There is the possibility that more of such information will be forthcoming.

this field so that we may have a better conception of the capabilities of a control system for the cessation of nuclear weapons tests. An expanded research program in seismology is essential and a number of well-qualified and prominent seismologists and geophysicists have recommended specific projects; yet, the detailed description of these projects and the estimates given for the workability of certain theories for the detection and identification of nuclear weapons tests remain closed to the public and to scientists throughout the country. What is particularly of concern is that some of our scientists who have visited the Soviet Union within the past year report that in some fields in seismology the Soviet Union is much more advanced than the United States and that in many respects more money is being spent on fundamental research in seismology in the Soviet Union than is being spent in the United States.

This suggests to me that the Department of Defense should not be the primary agency responsible for developing programs in the field of seismology and related scientific fields. Perhaps if this work were lodged in the Coast and Geodetic Survey of the Department of Commerce or the National Academy of Science, the scientists of the country would have access to the results of studies made and experiments conducted.

The six cases discussed briefly illustrate that Government agencies mistakenly classify information and deny it to the public. These are not the only cases that could be cited, but I believe the ones I have submitted amply demonstrate the need for vigilance on the part of congressional committees to review carefully all transcripts which contain classified information. If this is done, then perhaps executive agencies, too, will exhibit greater awareness of the public's need to know and will exercise greater care in the future in the classification of testimony.

I would not want to end this statement without emphasizing that in most cases overclassification of information is not a deliberate effort to deceive the people or to protect the Government from criticism. Generally I think it is due to a habit of being overcautious; in other words, to follow the rule to classify when in doubt.

Dick Neuberger Selects Oregon's Scenic Gems

EXTENSION OF REMARKS
OF
HON. CHARLES O. PORTER
OF OREGON
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 26, 1959

Mr. PORTER. Mr. Speaker, native or adopted sons and daughters of Oregon can vouch for the Oregon which has been described by my good friend and colleague Senator RICHARD L. NEUBERGER in the following article, "Make Mine Oregon." It appeared in the June 1959 issue of Pageant magazine.

A native of the State, a student of its beauties, and probably its most well-known author-politician, DICK NEUBERGER agreed to select his favorite five spots in Oregon for the magazine. It was a difficul assignment. How does one separate gem from gem?

But he took the plunge and I am happy to report that one is in the Fourth Congressional District—it is Ashland's Shakespearean Festival in the Rogue River Valley. A second jewel, Crater Lake National Park in the Cascade Range, adjoins the Fourth District.

I am glad I did not have to make the five selections. Oregon in this centennial year is more lovely than ever. It is beautiful.

Under leave to extend my remarks in the RECORD I now include "Make Mine Oregon":

MAKE MINE OREGON

(By RICHARD L. NEUBERGER, U.S. Senator, Oregon)

One sultry day last June, my wife Maurine was at a swimming party in Washington, D.C., with nine other wives of U.S. Senators.

Pool-side conversation turned to the subject of each wife's home State. Maurine was amazed to find she was the only woman there who still had a house of her own in the State which had sent her husband to the Senate. The others confessed they rarely returned to their States, except perhaps during election years.

When Maurine—like a good Senate wife—reported her findings to me, we tried to figure it out. It didn't take long. Our home State is Oregon. Obviously, the rest of the Senate wives by the pool that afternoon came from States whose charms were pallid by contrast with Oregon's.

The evergreen forests and snowy peaks of Oregon have such a hold on us that we head westward the minute the Vice President's gavel falls on the closing Senate session. We never return to the Capital until the reading clerk is ready to intone the first rollcall of the new Congress. And we usually travel by train, so we can savor the thrill of rolling into Oregon through the great natural gateway of the Columbia Gorge.

Indeed, we understand well the sentiments of the young married couple, schoolteachers from New York City, who worked for a summer as lookouts in Oregon's Mount Hood National Forest. They lived in a crackerbox cabin on a lonely bowsprit of lava rock above a sea of fir trees. "It's downright breathtaking," they exclaimed. "And we even got paid for it. We had no idea our country contained a Shangri-La."

They were not the first or the most renowned to react so exuberantly. Six decades before, a mustached little Englishman avidly angled for Chinook salmon from the Clackamas River and exulted:

"I have lived. The American Continent," said Rudyard Kipling, "may now sink under the sea, for I have taken the best that it yields, and the best was neither dollars, love, nor real estate."

Oregon is one of the few States of the West where it was rare for a frontiersman to perish from hunger. Tales of cannibalism might come from California or Colorado, but in Oregon there was always a stream bursting with fish or a mountain swale dotted with elk. Waterfowl streaked the sky overhead. Oregon was breadbasket and lumberyard for California's gold rush.

The Columbia River is a symbol of Oregon's remarkable fecundity. Its salmon runs are worth $20 million annually. It has the proportions of the Rhine or St. Lawrence. In its swift reaches lie over 40 percent of our country's potential hydroelectric power. It frequently attains a depth of 300 feet and annually carries 180 million acre-feet of water to the sea. The surging Colorado, next principal river of the American West, has a runoff of only 18 million acre-feet.

Throughout western Oregon, evergreen trees flourish like weeds do everywhere else. They thrive in backyards, cling precariously to mountainsides. Trees grow so profusely in Oregon that the early settlers actually burned off virgin fir and pine so they could clear the land for potatoes. This wasteful practice was stopped in time to save for Oregon some 434 billion board feet of sawtimber, which makes it by far the country's leading lumber-producing State.

But these trees do more than support 70 percent of Oregon manufacturing payrolls. They safeguard the runoff of innumerable lakes and rivers; they furnish the snug home for big game, birds, and other wild creatures.

Across the street from our 45-year-old colonial-style residence in Portland are fir trees twice the height of our three-storied roof. More evergreens grow in Portland than in any other city of the world, even including those in Vienna, immortalized by Johann Strauss' lilting "Tales From the Vienna Woods."

A mere 1 percent of the national population—1,760,000 people—inhabit Oregon, a realm more than twice the size of Pennsylvania. This means that elk, mule deer, pronghorned antelope and cougars have not yet been civilized out of existence in our State. People fish for smelt in the rushing Sandy River with wastebaskets, washtubs and stewpots. Shovels and rakes bring in a rich harvest of crab, clams and oysters from the sea.

Oregon's 167 State parks are the most numerous of any State, and why not? Around every bend in the road is a scene worth permanent protection. At Silver Creek Falls, a sheer cliff is embroidered with a varied series of lacy cataracts. At Ecola Park, timbered headlands of the Coast Range kneel spectacularly in the Pacific. Lewis and Clark, first of all westbound Americans, picked the name "ecola," the Clatsop Indian word for "whale." My pulse always beats faster when I am camping or surf bathing where our Nation's most important exploring party reached its goal.

Sometimes as I sit in my leather chair on the Senate floor, between Senators FRANK CHURCH, of Idaho, and ALBERT GORE, of Tennessee, I think of hand-hewn Timberline Lodge, notched into the great glacial face of Mount Hood, with its tempting choice between 3-mile ski runs and a steam-heated pool. My mind dwells in reverie on the meadows of clematis and bride's bonnet which dot the granite Wallowa Range, where gleaming little lakes are alive with trout.

I recall turbulent rides on the Rogue River in the boat which brings mail to the people of the wilderness, and I remember riding out of Hells Canyon across the frowning hump of Freezeout Saddle. Hells Canyon is 6,500 feet deep—deeper even than the Grand Canyon of the Colorado—and sometimes the comfortable Senate chair fades away and I am peering giddily down at the green Snake River, over a mile below.

Being a U.S. Senator from Oregon has its rewards. But the penalty is spending so much time 3,000 miles away from Oregon.

Oregon can spoil people for other places. Roses grow in abundance in Portland, the long, cool spring giving this loveliest of all flowers a special sheen and fragrance. If rodeos are your weakness, the annual Pendleton Round-Up is without peer. If flights of migratory waterfowl at sunset make you feel humble and nostalgic, the Malheur National Wildlife Refuge is in a class by itself.

If the Malheaur Refuge were in distant Africa, Americans might cross the Atlantic and the Mediterranean to be awed by it. The immense refuge, established by President Theodore Roosevelt as a wildlife sanctuary, is 100 miles long and 30 miles wide. One sees countless sandhill cranes, egrets, herons, pelicans, ducks and geese, swans, gulls, quail, sage hens, and loons. As a wayfarer walks along the dikes, small game starts up—deer, raccoons, beavers, porcupine, badgers, coyotes, antelope.

Oregon, less publicized than such States as California and Colorado, appears to my biased eyes to possess more grandeur than either.

Colorado lacks the ocean to offer contrast to its mountains. California, for all its magnificence, is searingly dry and arid. But Oregon lilts to murmuring water.

Oregon reflects intellect and ideas, too. Her people have taxed themselves sacrificially in order to develop one of the finest school systems in the Nation. During the Korean war, in Army aptitude and intelligence tests, GI's from Oregan had a higher proportion of successful grades than those from any other State except Minnesota. In the percentage of its adult population with less than 5 years of schooling, Oregon comes up with only 4.3 percent—the best record save for Iowa, with 3.9 percent.

Oregon is but 1 century old this year, yet its contributions to Government would be worthy of a State in the Union since colonial times. It was a precedent-breaking Oregon law which resulted in the original U.S. Supreme Court decision upholding a limitation on the number of hours which women could be worked in factories or laundries.

Oregon also was the first State to adopt the initiative and referendum. To this day, petitions are circulated on Oregon street corners and rural roads, as proposals are placed on the ballot through the collection of signatures. Some people have reduced signature collecting to a skilled pastime, although pretty girls generally have the highest skill of all. (And Oregon, where Jantzen bathing suits were originated, has breathtakingly pretty girls.) Some 26 other States have copied Oregon's initiative and referendum laws.

Furthermore, until Oregon demonstrated that there was a better way to do it, all U.S. Senators were appointed by State legislatures. Land companies, timber barons, and railroads bought and sold Senate seats like baubles. Finally, in Oregon, a brilliant reformer named William S. U'Ren initiated a movement which developed over the years until, in 1906, Oregon became the first State ever to elect a U.S. Senator by direct popular vote. The old appointment method was thoroughly discredited. The 17th amendment to the Federal Constitution followed, requiring Members of the Senate from every State to be chosen at the ballot box.

So plenty of original thinking has occurred in Oregon against the backdrop of limitless forests and glacial mountains. I always get a thrill when I enter a remote ranchhouse and find books from our well-stocked State library. Oregon citizens are assiduous readers of books, magazines, Government documents and even the CONGRESSIONAL RECORD.

Below the timbered ramparts of the Siskiyou Range, Southern Oregon College sponsors one of the Nation's finest Shakespearean festivals each August in an Elizabethan-style theater. Actors and actresses from as far as England participate. Tourists who have fished for salmon or steelhead trout by day sit under the stars at night for performances of "King Lear" or "Much Ado About Nothing."

Yet, in Oregon, man's handiwork will always seem secondary to the State's cosmic natural environment.

Look down into the blue cauldron of Crater Lake, the great National Park of our State. The icy water fills the volcanic hollow of Mount Mazama, which blew off its summit in prehistoric times. It is 2,000 feet from rim to water, and uncharted distances from there to the lake bottom. The ubiquitous evergreen, in the form of stately pines, stockades the lake's shore and the croutonlike islands. Lupines and heather ring the rocks.

No Oregon resident can stand on the brink of this mighty spectacle without immeasurable pride in a State which a generous Creator has tinted and touched so gloriously.

Columbus Day: An Opportunity To Strengthen the Spiritual Bonds of the Americas

EXTENSION OF REMARKS
OF
HON. PETER W. RODINO, JR.
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 26, 1959

Mr. RODINO. Mr. Speaker, as the author of H.R. 418, which seeks to declare October 12—Columbus Day—a legal holiday—I would like at this time to tell you about some of the outstanding 1958 Columbus Day celebrations sponsored by the National Citizens Committee for Columbus Day.

As the first national chairman of the Columbus Foundation which now sponsor the work of the National Citizens Committee for Columbus Day, I was more closely associated with the work of the national committee in 1958 than in the 4 previous years of its existence.

Mr. ZABLOCKI, of Wisconsin, has explained to you why I was chosen to head the Columbus Foundation, an organization dedicated to increasing greater cultural and educational exchange and improved understanding among the peoples of the Western Hemisphere.

THE COLUMBUS FOUNDATION

Launched on October 12, 1958, the Columbus Foundation proposes to increase and broaden the traditional observance of Columbus Day in two ways:

First. By stimulating such sister projects as sister cities, sister schools and colleges, and sister organizations.

Second. By encouraging educational and cultural exchanges through scholarships raised by communities, schools, colleges, organizations and business groups.

Now I want to commend the leaders of the National Citizens Committee for Columbus Day for the fine work which is being done to bring to Americans the significance of the discovery of the Western Hemisphere by Christopher Columbus.

AMERICANS ALL-COLUMBUS DAY THEME

The theme of the 1958 celebrations was: Americans All. No continent is so closely knit by religious ties as is the Western Hemisphere. All people who live on the American Continent are bound together by their belief in the fatherhood of God and the brotherhood of man—religious principles of Catholics, Protestants, and Jews.

Only through the determined fulfillment of these spiritual values can we of this hemisphere prove to the world the value and effectiveness of our free western system.

Since the discovery of America over 450 years ago, this continent has been an inspiration to the peoples of the world. From the beginning this new world has offered an opportunity for all peoples to seek and achieve a new and more meaningful life because our country was founded on the belief that spiritual faith, initiative, courage, and energy are traits held in high esteem.

During the last 50 years, people have come to believe that the destiny of the world was in America's hands—that America was composed of men from the mold of Columbus—men who questioned, dared, and dreamed—men who had the courage to translate their dreams into noble action for the benefit of all mankind.

U.S. CITIZENS NEED TO KNOW MORE ABOUT LATIN AMERICANS

In recent years, we of the United States have been too unmindful of the problems besetting our neighbors in the other 20 American Republics. After World War II, the national yearnings of the peoples of Asia and Africa burst upon us like a bomb. In our struggle to meet these unexpected responsibilities, we perhaps gave the impression to our Latin American neighbors that we no longer were concerned with their problems. At the same time, population growth in Latin America has been exceeding ours. In conjunction with population growth, there is a tremendous desire to push forward on the part of all Latin Americans to obtain some of the more tangible and intangible benefits of life.

The 1958 demonstrations against Vice President and Mrs. NIXON in some of the Latin American countries reveal the urgent necessity for an improved understanding among the citizens of the 21 American Republics.

In 1957, His Excellency Victor Andrade, then Bolivia's Ambassador to the United States and now her Foreign Minister, made this statement in an address before the Cosmopolitan Club of Pennsylvania State College:

> The average citizen in the United States is only vaguely aware of Latin America. He has, on the whole, a kindly feeling toward his southern neighbors and believes they will stand beside the United States in the event of crisis—as, indeed has been true in the past. But he knows comparatively little about Latin America and hears comparatively little. Many Latin Americans feel they are taken for granted by the United States, and, perhaps there is something in that feeling.

Recently, Members of Congress listened to an address by President José Maria Lemus of El Salvador who pointed out that Communist imperialism menaces the entire Western Hemisphere because of "valuable allies" in the hemisphere such as "social injustice, disorder, and political errors, the impoverishment of nations, and the wretchedness of great groups of human beings whom a weakened economy is not able to protect fully, nor offer comforting prospects."

U.S. CITIZENS MAKE COLUMBUS DAY AN OCCASION TO LEARN ABOUT LATIN AMERICANS

It is therefore with great pleasure that I tell you about some of the 1958 activities of the National Citizens Committee to dramatize this great historical date, October 12, as an occasion to learn more about our Latin American neighbors through meaningful exchanges of people and ideas.

Under the leadership of the President of the United States, who made the Columbus Day address at the distinguished New York City celebration, more

than 40 State Governors issued 1958 Columbus Day proclamations calling for observances on October 12 to create greater inter-American friendship and understanding under the theme "Americans All." In addition a majority of these Governors appointed State Columbus Day chairmen to stimulate statewide observances and to coordinate the activities of the various communities.

SUPPORT OF STATE GOVERNORS

I would like to call your attention to the statewide Columbus Day observances in some of our States. It is particularly pleasing to report that my own State of New Jersey had a most outstanding series of celebrations under the leadership of Gov. Robert B. Meyner and such distinguished mayors as my own mayor, Hon. Leo P. Carlin, of Newark.

Other examples of outstanding statewide celebrations were: Pennsylvania, Colorado, Ohio, Florida, Tennessee, Wisconsin, Iowa, California, Missouri, Delaware, Utah, Massachusetts, New York, Illinois, and the District of Columbia.

Cooperating Governors were: Hon. James E. Folsom, Alabama; Ernest W. McFarland, Arizona; Goodwin J. Knight, California; Steve McNichols, Colorado; Abraham Ribicoff, Connecticut; J. Caleb Boggs, Delaware; LeRoy Collins, Florida; Marvin Griffin, Georgia; William G. Stratton, Illinois; Harold W. Handley, Indiana; Herschel C. Loveless, Iowa; George Docking, Kansas; Albert B. Chandler, Kentucky; Earl K. Long, Louisiana; Edmund S. Muskie, Maine; Theodore R. McKeldin, Maryland; Foster Furcolo, Massachusetts; G. Mennen Williams, Michigan; Orville L. Freeman, Minnesota; James T. Blair, Jr., Missouri; Victor E. Anderson, Nebraska; Charles H. Russell, Nevada; Lane Dwinell, New Hampshire; Robert B. Meyner, New Jersey; Averell Harriman, New York; John E. Davis, North Dakota; C. William O'Neill, Ohio; George M. Leader, Pennsylvania; Frank G. Clement, Tennessee; Price Daniel, Texas; Cecil H. Underwood, West Virginia; Vernon W. Thompson, Wisconsin; Milward L. Simpson, Wyoming; Luis Munoz Marin, Puerto Rico; The Board of Commissioners, Hon. Robert E. McLaughlin, President, District of Columbia.

SUPPORT OF MEMBERS OF CONGRESS

Through the years, the National Citizens Committee has invited Members of Congress to act as honorary sponsors for Columbus Day. In 1958, many distinguished Senators and Congressmen not only were willing to serve as honorary sponsors, but they helped to set up Columbus Day committees in their States and districts. Others gave major talks on Columbus Day in their own States and elsewhere.

U.S. Senators cooperating: Hon. George D. Aiken, of Vermont; Hon. J. Glenn Beall, of Maryland; Hon. Styles Bridges, of New Hampshire; Hon. Clifford P. Case, of New Jersey; Hon. John A. Carroll, of Colorado; Hon. Dennis Chavez, of New Mexico; Hon. Paul H. Douglas, of Illinois; Hon. John D. Hoblitzell, Jr., of West Virginia; Hon. Hubert H. Humphrey, of Minnesota; Hon. Irving M. Ives, of New York; Hon. Estes Kefauver, of Tennessee; Hon. John F. Kennedy, of Massachusetts; Hon. Thomas E. Martin, of Iowa; Hon. Wayne Morse, of Oregon; Hon. James E. Murray, of Montana; Hon. Richard L. Neuberger, of Oregon; Hon. William Proxmire, of Wisconsin; Hon. A. Willis Robertson, of Virginia; Hon. Leverett Saltonstall, of Massachusetts; Hon. Stuart Symington, of Missouri; Hon. John J. Williams, of Delaware; Hon. Ralph Yarborough, of Texas; Hon. Milton R. Young, of North Dakota.

U.S. House Members cooperating as honorary sponsors: Hon. Hugh J. Addonizio, of New Jersey; Hon. Victor L. Anfuso, of New York; Hon. Wayne Aspinall, of Colorado; Hon. William A. Barrett, of Pennsylvania; Hon. Walter S. Baring, of Nevada; Hon. Hale Boggs, of Louisiana; Hon. Gordon Canfield, of New Jersey; Hon. Emanuel Celler, of New York; Hon. Marguerite Stitt Church, of Illinois; Hon. Harold D. Donohue, of Massachusetts; Hon. Ivor D. Fenton, of Pennsylvania; Hon. John E. Fogarty, of Rhode Island; Hon. James G. Fulton, of Pennsylvania; Hon. Kathryn E. Granahan, of Pennsylvania; Hon. Martha W. Griffiths, of Michigan; Hon. Wayne L. Hays, of Ohio; Hon. Lester Holtzman, of New York; Hon. Walter H. Judd, of Minnesota; Hon. Don Magnuson, of Washington; Hon. Fred Marshall, of Minnesota; Hon. Joseph W. Martin, Jr., of Massachusetts; Hon. Chester E. Merrow, of New Hampshire; Hon. Joseph M. Montoya, of New Mexico; Hon. Albert P. Morano, of Connecticut; Hon. Thomas E. Morgan, of Pennsylvania; Hon. Carl D. Perkins, of Kentucky; Hon. Henry S. Reuss, of Wisconsin; Hon. Peter W. Rodino, Jr., of New Jersey; Hon. Alfred E. Santangelo, of New York; Hon. D. S. Saund, of California; Hon. Hugh Scott, of Pennsylvania; Hon. Henry O. Talle, of Iowa; Hon. Frank Thompson, Jr., of New Jersey; Hon. Stewart L. Udall, of Arizona; Hon. William B. Widnall, of New Jersey; Hon. Clement J. Zablocki, of Wisconsin.

COOPERATION OF MAYORS

In addition to the outstanding leadership given by Senators, Congressmen, and Governors, hundreds of mayors throughout the United States issued Columbus Day proclamations and appointed local chairmen and local committees to stimulate communitywide observances to advance the goal of increased inter-American understanding under the theme of Americans All.

In this category of accomplishment, the following cities deserve special recognition for their unusual efforts: Kansas City, Mo.; Salt Lake City, Utah; Springfield, Ill.; Wilmington, Del.; York, Pa.; Hoboken, N.J.; Denver, Colo.; Washington, D.C.; Nashville, Tenn.; Galveston, Tex.; San Jose, Calif.; Philadelphia, Pa.; Tampa, Fla.; Miami, Fla.; Fitchburgh, Mass.; Clayton, Mo.; Nashua, N.H.; Des Moines, Iowa; Peoria, Ill.; South Norwalk, Conn.; New Brunswick, N.J.; New London, Conn.; Oakland, Calif.; Sacramento, Calif.; Albuquerque, N. Mex.; Minneapolis, Minn.; and many others. Reports are still coming in. These were the cities and towns giving full reports on their activities. There were countless others who carried out elaborate programs but did not write a full report to the national committee.

COLUMBUS DAY AIDS

As background information for groups and schools, the national committee provided two excellent pamphlets: "The Leaders Guide" and "You and Your Latin American Neighbors"—the latter in collaboration with the Department of Public Information of the Pan American Union.

"You and Your Latin American Neighbors" received great praise from leaders everywhere. I recommend this pamphlet to the attention of every Member of Congress.

In addition, I wish to also commend the following for their excellent Columbus Day materials: Dr. James A. Di Renna, Kansas City, Mo.; Hon. Mary A. Varallo, Philadelphia; Sister Constantius, Clayton, Mo.; Tom Sarcone, Des Moines, Iowa; John Egizzi, Springfield, Ill.; Charles G. Merlini, Utica, N.Y.; Sister Mary Janet, East Lansing, Mich.; Anthony E. Candela, Ashtabula, Ohio; Louis S. Solari, San Jose, Calif.

Also noteworthy is the fact that these spectacular accomplishments were attained by private citizens in States and communities who joined forces to create Columbus Day celebrations across the Nation. There was not one cent expended by the National Citizens Committee for Columbus Day for salaries or paid staff. All of these skills were contributed and donated by the officers and executive committee as their contribution to better inter-American friendship and international understanding.

Furthermore, I was pleased to see the widespread development of interfaith Columbus Day committees in the States and cities. The District of Columbia committee did an exceptional job. I believe such a move represents a tremendous step forward in the extension of our spiritual leadership in North, Central and South America.

THE 1958 NATIONAL CITIZENS COMMITTEE FOR COLUMBUS DAY

The 1958 National Citizens Committee for Columbus Day was composed of fifty-odd people from many organizations in thirty-odd States across the country. Represented were business, labor, education, fraternal, religious, and nationality groups. It was the largest and most representative committee in the national committee's history. Again, I wish to express my appreciation for the fine leadership given by Italian-American organizations to Columbus Day celebrations everywhere, and to the Knights of Columbus who have labored so long to keep Columbus Day alive in this country.

The 1958 Columbus Day Committee members were: Dr. George E. Arnstein, Washington, D.C.; Mrs. Eugene Bacarisse, New York City, N.Y.; James L. Baker, Peoria, Ill.; Peter J. Bertoglio, Pittsburg, Calif.; James G. Blaine, Clovis, N. Mex.; Barnee Breeskin, Washington, D.C., Dr. Arthur Campa, Denver, Colo.; Anthony E. Candela, Ashtabula, Ohio; Felix N. Cantore, New Brunswick, N.J.; Angelo J. Catucci, Washington,

D.C.; Henry G. Catucci, Washington, D.C.; Louis J. Colombo, Detroit, Mich.; Sister Constantius, C.S.J., Clayton, Mo.; Charles De Fazio, Jr., Hoboken, N.J.; John R. Di Cello, Kenosha, Wis.; Dr. James A. Di Renna, Kansas City, Mo.; Peter F. Di Stefano, Buffalo, N.Y.; Francis J. Donnelly, Kansas City, Kans.; Dr. William E. Dunn, Washington, D.C.; John Egizii, Springfield, Ill.; Joseph A. L. Errigo, Wilmington, Del.; Angelo Fabrizio, Albuquerque, N. Mex.; Rudolph Faupl, Washington, D.C.; Mrs. Molly Ferrara, Tampa, Fla.; Philip A. Guarino, Washington, D.C.; Joseph V. Garrety, York, Pa.; Lawrence P. Girolami, Sacramento, Calif.; M. P. Goebel, Corpus Christi, Tex.; Richard M. Gunn, Tennessee; Rev. Frederick G. Hochwalt, Washington, D.C.; Thomas F. Hogan, Norwalk, Conn.; Rev. Alfred F. Horrigan, Louisville, Ky.; Dr. J. Dan Hull, Washington, D.C.

Sister Mary Janet, East Lansing, Mich.; Paul E. Johnson, Indianapolis, Ind.; Richard E. Kellogg, Washington, D.C.; Newell Knight, Salt Lake City, Utah; Milton S. Kronheim, Washington, D.C.; Col. Waldron E. Leonard, Washington, D.C.; Frank Longano, Cincinnati, Ohio; Don P. Luther, Detroit, Mich.; V. P. Mickey McGinn, Phoenix, Ariz.; Rev. Frederick A. McGuire, Washington, D.C.; Justin J. McCarthy, Washington, D.C.; Charles G. Merlini, Utica, N.Y.; Ted Moreno, Eugene, Oreg.; Hon. Judge George D. Neilson, Washington, D.C.; John T. O'Brien, Washington, D.C.; Richard C. O'Connell, Baltimore, Md.; Dr. Alejandro Orfila, Pan American Union; Andrew A. Ovellette, Nashua, N.H.; Oliver A. Ossanna, Minneapolis, Minn.; Miss Inez Petersen, Sioux City, Iowa; Dr. Thomas G. Pollock, New York City, N.Y.; John S. Prico, Oakland, Calif.; Hon. Peter W. Rodino, Jr., Newark, N.J.; Frank A. Romano, Fitchburg, Mass.; Mrs. Mary E. Romano, New London, Conn.; Saul N. Sanfilippo, San Jose, Calif.; Tom Sarcone, Des Moines, Iowa; D. V. Signa, Greenville, Miss.; Paul E. Smith, Washington, D.C.; Louis S. Solari, San Jose, Calif.; James Sottile, Jr., Miami, Fla.; Stanley S. Villavasso, Baton Rouge, La.; Hon. Mary A. Varallo, Philadelphia, Pa.; Nello Ventura, Kenosha, Wis.; John W. White, Washington, D.C.

NATIONAL SPONSORS

As I pointed out earlier, the National Citizens Committee is a voluntary citizens organization with no paid staff. There are, however, expenses for secretarial services, duplication of materials and mailings. These expenses underwritten through 1958 by the following national sponsors:

Sam G. Baggett, vice president, United Fruit Co.

Edgar R. Baker, manager, Time-Life International.

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John A. Diemand, president, Insurance Co. of North America.

Fred M. Farwell, executive vice president, American Telephone & Telegraph Co.

W. Latimer Gray, senior vice president, First National Bank of Boston.

Walter Harnischfeger, president, Harnischfeger Corp.

Carl N. Jacobs, president, Hardware Mutual Casualty Co.

John K. Jenney, director, foreign relations department, E. I. du Pont de Nemours & Co.

Charles A. Meyer, vice president, Sears, Roebuck & Co.

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Howard M. Packard, president, S. C. Johnson & Son, Inc.

J. P. Spang, Jr., president, the Gillette Co.

Wm. S. Youngman, Jr., director, American International Underwriters Corp.

Address by Hon. James C. Davis of Georgia, before the Alexandria, Va., Rotary Club

EXTENSION OF REMARKS
OF
HON. JOEL T. BROYHILL
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 26, 1959

Mr. BROYHILL. Mr. Speaker, My good friend and colleague, the Honorable JAMES C. DAVIS of Georgia, was guest speaker for the Alexandria, Va., Rotary Club at a luncheon meeting today in my congressional district.

I was indeed fortunate in being able to obtain a copy of his speech, and as I am firmly convinced this message is of interest not only to the membership of this august body, but also to the entire citizenry of these United States, I am pleased and honored to be able to present it in its entirety to you:

SPEECH DELIVERED TO ALEXANDRIA ROTARY CLUB LUNCHEON MEETING, MAY 26, 1959

I appreciate very much the kind remarks of Mr. Marshall Beverley in his introduction. He is a staunch believer in the principle of States rights, and I have admired him for the fact that he recognizes the need for continued maintenance of our segregated school system. I appreciate the fact that he stands squarely in the open in favor of these principles.

I regard it as a privilege to be invited to address your splendid club. It has been my pleasure at home in Georgia to speak to the Rotary clubs in my congressional district from time to time. The membership of the Rotary clubs at home consists of some of our finest and most outstanding citizens. From my knowledge of Rotarians there, I know your club here in Alexandria is made up of high type and outstanding business and civic leaders.

I know you are seriously concerned with the grave issues which all of us face today, issues which require the best thought and effort not only of our officials, Federal, State, and local, but of each individual citizen. For in the final analysis no single one of us can shunt his responsibility for good government off onto the shoulders of his neighbor. Under our form of government, each citizen must bear an equal responsibility for good government. Just to the extent that I or you neglect that duty, just to that extent we may expect a failure in government.

One of the greatest domestic issues facing the American people today is the problem of preserving the rights of the individual States against ever-increasing Federal encroachment—the problem of States rights on the one hand against Federal domination and tyranny on the other.

The term "States rights" is but the American term for the principle of local self-government—a fundamental human right for which, over the centuries, those who love liberty have fought, struggled, and died. In the establishment of our American Government we recognized this right of self-government. We incorporated it in our written Constitution, and we gave it its American name of States rights.

The other principle relied upon by the founders was, of course, the principle of separation of powers—the creation of three coordinate branches of the Federal Government, legislative, executive, and judicial, each of which would be independent of the other.

Those who founded our Government, being realists, knew that the power of government would, on many occasions at least, fall into the hands of selfish men of boundless ambition. They knew that the idea of benevolent government, without checks is a delusion. They knew the utter fallacy of setting up a government without limitations in the reliance that good men would control it. In this respect Thomas Jefferson said:

"In the questions of power then, let no more be heard of confidence in man, but bind him down from mischief by the chains of the Constitution."

I think that Thomas Jefferson believed that the structure of our liberty rests upon the twin pillars of States rights and separation of powers. So long as these pillars stand unimpaired, our liberties stand also. But if either of them be struck down, or slowly chipped away, then surely and inevitably our temple of liberty will come crashing down.

With almost prophetic vision that great Virginian Thomas Jefferson warned that the germ of dissolution of our Federal system lay in the Federal Judiciary. On that subject he said:

"Working like gravity by night and by day, gaining a little today and a little tomorrow, and advancing its noiseless step like a thief, over the field of jurisdiction, until all shall be usurped from the States, and the government of all be consolidated into one."

Although the Supreme Court had manifested the inclination throughout the years to expand its jurisdiction and influence, the basic principle of States rights remained fundamentally intact, remained a sturdy support of the Constitutional liberties of the people throughout the years until about a quarter of a century ago. Until the 1930's our governmental system was still fundamentally based on States rights, both in principle and in practice. This was so, not to the extent that many had desired, to be sure; not to the extent that the framers of the Constitution had recommended; but still to the extent that the vast majority of those vital economic, political, and social activities most closely affecting the lives of the people remained the subjects of State control and regulation, and were outside the province of the Federal Government.

In the last quarter century, however, we have seen assaults on States rights at many points. We have seen the National Government in Washington expanded to its present swollen size, to the accompaniment of a steady elimination of the reserved powers of the States.

All three branches of the Federal Government have participated in this movement. The people of the United States, rendered fearful and timid by economic depression, acquiesced in it.

The Supreme Court resisted the trend until the 1930's; but in that era the

Supreme Court's role became, and has been since, one of aggrandizing the Federal Government at the expense of the State.

Since that time the Federal Supreme Court has handed down a long string of decisions which have tied the hands of State courts, State legislatures, and other State and local governmental agencies, rendering them powerless in many respects to oppose Communist infiltration and communistic activities. Among these decisions have been the Slochower case from New York, the Steve Nelson case from Pennsylvania, the Schware case from New Mexico, the Cole vs. Young from New York, the Watkins case from Illinois, the Passport cases, and many others. That Court also handicapped the courts and law enforcement officers in the Mallory case decision.

One of the many Supreme Court decisions affecting local government and States rights was the school segregation decision in 1954. In the school cases the Supreme Court struck one of its hardest blows against the States and against the Constitution.

The people of Virginia are facing some vital decisions regarding the operation of your schools. The future of Virginia, and indeed the future of the South and of our country, will to a considerable extent be affected by the decisions you make and the action which the people of Virginia take this year and next year regarding the operation of your school system. Now I want to talk to you some today about the important question of segregation in the schools.

I was chairman of a subcommittee of Congress which made a detailed investigation of the integrated Washington school system in September and October 1956, 2 years after the schools were integrated in 1954. I am in position to know the facts about the Washington schools.

To the investigating committee in 1956, Dr. Carl Hansen, then assistant superintendent of schools, and now the superintendent of Washington schools made this statement:

"I think that the integration program in this city has been a miracle of social adjustment."

That statement was in direct conflict with the overwhelming evidence about the chaotic conditions in the Washington schools which are driving out the white parents and children, and which have already made Washington a predominantly Negro city, a city in which the school population is 75 percent colored and the overall population is 53 percent colored. While Dr. Hansen was making that general statement, principals and teachers were giving specific testimony along these lines:

The principal of Eastern High School in Washington swore that he retired in 1955 as a result of ill health directly attributable to the conditions that developed in Eastern High School after the integration of the District schools; that fighting, including stabbings, went on continuously; that there were many sex problems; that colored boys began writing notes to the white girls, telling them their phone numbers and asking the girls for their numbers; that he heard colored boys making obscene remarks about a white girl passing in the hall; that white girls complained of being touched by colored boys in a suggestive manner when passing in the halls; that one white girl left school one afternoon and was surrounded by a group of colored boys and girls; that one of the colored boys put a knife at her back, marched her down an alley and backed her against a wall, and that while the group debated as to whether they should make her take her clothes off, she broke away and ran home. He testified that never in all of his experience had he observed such filthy and revolting habits in the lavatories. He testified that there were a dozen or more colored girls who became pregnant during his last year at Eastern High School, and that virtually all social activities were abandoned in that school after integration.

Here are just a few instances of typical testimony of principals and teachers:

The principal of Theodore Roosevelt High School testified to disorder in the classrooms, including fights, foul and obscene language, carrying knives, pregnancies, passing obscene notes, continual efforts on the part of colored boys to approach white girls, even up to the week of the testimony; 10th grade students reading at 4th-, 5th-, and 6th-grade levels, etc.

The principal of Davis Elementary School told the committee that the head of the NAACP Educational Committee in Washington had called her up and demanded that a Negro child who had been transferred to kindergarten from first grade be put back in the first grade. She said this Negro told her, "I will give you 3 days, and then you will hear from me again." She told the committee about pupils in the fifth grade reading on first-grade level.

The principal at McFarland Junior High School, a formerly all-white school, told the committee that school probably would get back to a segregated status. His prediction is rapidly coming to pass. He told the committee that disciplinary problems had a frustrating effect upon the teachers; that this had its effect upon the teaching of the students. He detailed these problems as being such things as stealing, boys feeling girls, disobedience in the classroom, carrying knives, and that sort of things. He said it was necessary to call the police about 50 times during the previous school year.

An elementary schoolteacher at the Emery School testified that teaching in the schools was very difficult after integration; that it affected her health to the extent that she was a nervous wreck.

A teacher in McKinley High School testified that the colored students required considerably more time than the white students, and that as a result the white students suffered educationally because he could not get to them to give them individual instruction. One teacher told of a white senior at McKinley High School attacked by a group of colored boys and beaten so severely that 13 stitches were required to be taken in his face; this was because he objected to an integrated prom at the school. The father of this boy brought him to the Capitol to exhibit his injuries to members of the committee. I saw these injuries myself, and got the story from the boy and his father. That formerly all-white school is now 92 percent colored and 8 percent white.

A teacher at Roosevelt High School, formerly all-white, testified to disciplinary problems, concealed weapons, pregnancies, fighting, lying, stealing, one Negro boy and a white girl writing love letters to each other, miserably low grades. She testified she went to see a doctor at the end of the school year who told her, "You are on the verge of a complete mental and physical breakdown."

These instances I have given you do not even begin to be all of the testimony about the deplorable and chaotic conditions in the District of Columbia schools after integration. They are merely typical of testimony given to the committee day after day. I have dwelt at some length on the undisputed testimony about conditions in the schools simply to point out that Dr. Hansen's statement, "I think that the integration program in this city has been a miracle of social adjustment," is as different from the actual facts presented as daylight is from darkness, and to point up his attitude that this forced system of integration in Washington must be portrayed, at all costs, as a miraculous success.

The plan of integration was so set up that it was so difficult as to be practically impossible for a white child to transfer out of an integrated school.

The only relief for a parent who could not afford to send his child to a private school was to move out of the city of Washington. This they proceeded to do in droves. This is most disturbing to all who are interested in the future of the Nation's Capital. On March 2 this year, the District of Columbia Board of Commissioners made the announcement that Negroes in Washington now constitute 53 percent of the total population. The school census taken in October 1958 showed that in Washington schools the colored pupils were 74.1 percent of the total and whites only 25.9 percent. In the last 5 years Washington has lost 123,000 white people, leaving the white population 387,000. In the same 5 years the Negro population increased 98,000 to a total of 438,000.

The notoriously radical newspaper, the Washington Post, has been one of the most ardent advocates beating the drums for race mixing throughout the years.

Even this notoriously radical newspaper, blinded by its bias, was prodded into a mournful editorial on March 4 this year entitled, "New Form of Segregation," and reluctantly agreed that the situation is bad, and that it is going to get worse.

The record shows that 62 percent of the teachers in the Washington schools now are colored with only 38 percent white.

There are 4,287 teachers in the school system, and of this number, 1,092 are on a temporary basis. The temporary teachers are those who cannot qualify for a permanent teacher's position. The school records in Washington show that the great majority of teachers now applying to the Washington school system for positions are of low ability. In 1958, of 216 teachers who applied, 52 passed the examination; in 1957, of 177 applicants, 40 passed, etc. In the elementary schools more than 30 percent of the teachers are temporary. In mathematics, more than 35 percent are temporary.

On May 3, 2 weeks ago, Dr. Carl Hansen, now Superintendent of the Washington schools, made a television appearance in Atlanta to speak in behalf of the Washington integrated school system. His expenses were paid by the Georgia Council on Human Relations, who also, he said, tendered him an extra $100 for making the appearance.

In his Atlanta program Dr. Hansen was asked the question, "What would you say has been the reception of the people in Washington to the new system?"

His answer to that was, "I think the vast majority of the people in Washington feel that this has been a good thing to do."

As to that statement, the facts speak for themselves. The mass exodus of white people from Washington since 1954 refutes that statement far better than anything I could say.

The facts are almost directly in opposition to the answers given by Dr. Hansen. At the committee hearings, teacher after teacher told us, not in generalities, but of specific instances of friction and trouble. They came before us for 9 days giving detailed information. In this 30-minute speech I cannot even make a good beginning toward giving you the information we received in the school investigation. However, I can send you the printed hearings consisting of 512 printed pages. I will be glad to do so on request, and you may read this testimony for yourself.

School conditions in Washington for white children and white parents are pathetic today. In some respects they are worse than they were in 1954 and 1956. Activities like this are going on: In February of this year a Negro teacher in an elementary school staged a play in the school in which two of

the characters were husband and wife. This Negro teacher cast a little white girl in the role of the wife, and a Negro boy in the role of the husband. A few weeks ago a worried father told me that a Negro boy tried to kiss his daughter in the school; that she was able to fight him off, but he did succeed in kissing her girl companion.

One parent of a daughter in one of the Washington schools brought me valentines from a Negro boy to his daughter, and valentines from another Negro boy to another white girl in the same school.

In one of the schools a white girl married a Negro boy who previously attended the same school with her.

In Washington schools today there is being carried on a revolting, systematic, progressive, disgusting campaign of race amalgamation. The situation is not improved. These conditions will develop anywhere under the same circumstances.

The pregnancy situation in the junior and senior high schools is so acute that on the 6th day of May the District Congress of Parents and Teachers adopted a resolution calling for a special education program to insure continued schooling for the many pregnant students of the Washington school system. In that connection, the District of Columbia public health reports show that more than one out of every four Negroes born in Washington is an illegitimate child. This is the atmosphere and these are the conditions to which white boys and girls are subjected in the Washington integrated schools.

To bring the school situation up to date, on Wednesday, May 11, one member of the District of Columbia School Board proposed an ultimatum to require the temporary teachers—who make up about one-fourth of the teaching force—to qualify for certification or leave the system. He said he would rather have double-sized classes taught by qualified teachers than to retain incompetents. On the same day the proposal was also made to increase the compulsory school attendance age in the District from 16 years to 21 years. The reason given for that extraordinary proposal was that children who dropped out of high school at the age of 16 tend to drift into delinquency, often do not become self-supporting, and, more significantly, give birth to those who follow the same pattern of life. The situation, instead of being the "miracle of social adjustment" claimed by the Superintendent of Schools, is bad and is growing worse.

The school problem has reached the stage where the people of Virginia must soon determine whether they will permit the miserable conditions now prevailing in Washington to spill over into Virginia, whether this NAACP-sponsored plot will succeed to transfer control of the public schools system from the State to the Federal Government. I believe that the Virginians of today will make no decision which will stamp them as being unworthy descendants of their revered forebears, Washington, Jefferson, Lee, Madison, Marshall, Henry, Randolph, Monroe, Mason, and other patriots of the Old Dominion, so proudly acclaimed by the Nation at large. I believe that we of this generation will no more accept oppression or dictatorship than they did.

In carrying on the battle to preserve the principle of States rights we are not fighting for any mere slogan. Local self-government is the guarantee of individual liberty, which is the highest aim of all government.

This principle which has come down to us through the ages rings as loudly in our ears as it ever did in theirs, that "resistance to tyranny is obedience to God."

Plato said many years ago that the penalty good men pay for indifference to public affairs is to be ruled by evil men. Edmund Burke said many generations later that all that is necessary for the triumph of evil is that good men do nothing.

The lessons of history are before us to read. Our fight is ahead of us, not behind us. If we do our part, with faith in Almighty God, we will win it.

HOUSE OF REPRESENTATIVES

WEDNESDAY, MAY 27, 1959

The House met at 11 o'clock a.m.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

II Corinthians 4: 8: *We are troubled on every side, yet not distressed; we are perplexed, but not in despair.*

O Thou eternal Spirit of the living God, inspire us during this day with a vivid assurance of Thy divine guidance in our search and struggles to find the right solution to life's varied and difficult problems.

Grant that through the discipline of hard experiences and trying circumstances we may learn the needed lessons of patience and perseverance.

May we never yield to moods of defeatism and despair and allow our energies and resources to be weakened and dissipated by fears and anxieties.

Give us the unfaltering confidence that there is a moral and spiritual power in the universe which is working for righteousness and justice, however seemingly frail and feeble our own human efforts and achievements.

Hear us through the merits and mediation of our blessed Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed the following resolution:

SENATE RESOLUTION 124

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the death of Hon. John Foster Dulles, a former Senator from the State of New York, and a former Secretary of State.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That, as a further mark of respect to the memory of the deceased, the Senate, at the conclusion of its business today, do adjourn.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 19. An act to provide a method for regulating and fixing wage rates for employees of Portsmouth, N.H., Naval Shipyard.

APPROPRIATION BILLS FOR 1960 FOR LEGISLATIVE BRANCH AND DEPARTMENT OF DEFENSE

Mr. CANNON. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight tomorrow night, that is May 28, to file two reports—one on the appropriation bill for the legislative branch for the fiscal year 1960 and the other on the Department of Defense appropriation for fiscal year 1960.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

Mr. GROSS. Mr. Speaker, reserving the right to object, may I ask when it is proposed to bring these bills up?

Mr. CANNON. I yield to the distinguished majority leader to answer the gentleman's inquiry.

Mr. McCORMACK. It is my understanding that the legislative appropriation bill will be programed for Monday, and the Defense Department appropriation bill for Tuesday and Wednesday.

Mr. GROSS. I ask this because we need a little time to find out what is in these bills.

Mr. McCORMACK. I want the gentleman from Iowa to know that I have no controversy with him at all or with his inquiring mind in this respect, but I am simply answering the gentleman's question to say that it is the intention to program the legislative appropriation bill for Monday and to program the Defense Department appropriation bill for Tuesday and Wednesday. Of course, if the gentleman from Iowa wants to inquire when the bills will be available and the reports and so forth, that is another question.

Mr. GROSS. Can the defense bill be taken up Wednesday so that we might have some time?

Mr. McCORMACK. It is the intention to bring the Defense Department appropriation bill up on Tuesday and Wednesday.

Mr. GROSS. That does not leave very much time, I will say to the gentleman.

Mr. CANNON. You would have 6 days on the defense bill.

The SPEAKER. Is there objection to the request of the gentleman from Missouri [Mr. CANNON]?

There was no objection.

Mr. BOW reserved all points of order on both bills.

COMMITTEE ON THE JUDICIARY

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary may be permitted to sit today during general debate.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

CALL OF THE HOUSE

Mr. HAYS. Mr. Speaker, I make the point of order that a quorum is not present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.